[COMMITTEE PRINT]

S. PRT. 99-183, PT. VI

DPC

DEMOCRATIC POLICY COMMITTEE
Robert C. Byrd, Chairman

T. Scott Bunton, Staff Director
(202) 224-5551

DEMOCRATIC ALTERNATIVES:

A LOOK AT THE RECORD

PART VI

December 1986

A history of party differences on 85 key Senate votes: 99th Congress, 2nd Session

Prepared by the Staff of the Senate Democratic Policy Committee

S940-2

S. PRT. 99-183, PT. VI

DEMOCRATIC ALTERNATIVES:

A LOOK AT THE RECORD

PART VI

December 1986

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

INTRODUCTION

During 1986, on many occasions the actions of Senate Democrats on issues of major importance to the Nation and its citizens were at substantial variance with the actions of the Republicans who controlled the Senate as its majority party. This volume of the 'Democratic Alternatives" series highlights 85 record votes from January through October of 1986 on which at least two-thirds of Senate Democrats took a position opposite to that of at least two-thirds of Republican Senators. The accompanying text describes the issues that were at stake in these votes and the justification for the Democratic stance taken on those issues. In this way, some of the most important "Democratic Alternatives" to the policy objectives of the Republican Senate majority can be seen and understood.

TABLE OF CONTENTS

	Page
AGRICULTURE	1
BUDGET DEFICIT REDUCTION	5
CONSUMER ISSUES	9
DEFENSE	13
EDUCATION	19
FOREIGN AFFAIRS	23
HUMAN SERVICES	45
JUDICIAL NOMINATIONS	49
LABOR	55
LOCAL GOVERNMENTS	61
SOCIAL SECURITY	63
TAX EQUITY	65
TRADE	69
TRANSPORTATION	71
MISCELLANEOUS	73
APPENDIX: ROLLCALL VOTES REFERRED TO IN DEMOCRATIC ALTERNATIVES, PART VI	77

AGRICULTURE

Introduction

The American farmer continued to face a depressed agricultural economy in 1986. Even though the farm crisis continued to get worse and there were three straight months of agricultural trade deficits (May, June, July, 1986), Senate Republicans opposed an amendment by Senator Ford to transfer approximately $13 million from the Export-Import Bank's "war chest" authority to farm price support programs. This amount would have offset partially the reduction in those programs called for by the Gramm-Rudman budget cuts. Senator Ford argued that American farmers needed the assistance more than foreign buyers of U.S. goods, but the amendment was defeated on a largely party line vote.

Shortly thereafter, with a number of Democratic cosponsors, Senator Sasser offered an amendment to legislation to extend the debt ceiling that was an effort to provide assistance to those suffering from the effects of the drought that hit the southeast in the summer of 1986. The amendment directs the Secretary of Agriculture to implement a one-year emergency feed program that allows cost sharing with eligible farmers and uses surplus government feed stocks. It also permits haying and grazing on set aside land, provides for assistance in transporting hay to needed areas, requires in-kind disaster payments, and expresses the sense of the Congress that the Farmers Home Administration should defer loan repayments and forgo foreclosures in cases where farm borrowers are unable to make repayments due to the drought.

Since the Agriculture Committee had not met all procedural requirements of the Budget Act, those requirements had to be waived to permit consideration of the amendment. Failure to waive this part of the Budget Act would have prevented action on the amendment to assist drought-ravaged farmers and ranchers. Despite substantial Republican opposition, the motion to waive the Budget Act was agreed to, and ultimately the Sasser amendment was approved by the Senate on a voice vote.

During the last weeks of the session, Democrats attempted to offer an amendment that would have made important changes in a number of agriculture programs to help hard pressed farmers, including those suffering from cash flow shortages, debt burdens, natural disasters, and unintended detrimental effects of some parts of the 1985 farm bill. And on several occasions, Democrats attempted to help both farmers and hungry families by diverting surplus commodities to feeding programs.

The Record

1) Ford, et al, modified amendment (to the Export-Import Bank Act Amendments) to provide that 4.3 percent of the $300 million Tied Aid Credit Program of the Export-Import Bank, shall be made available to the Secretary of Agriculture to carry out the price support program at the levels authorized in the Food Security Act of 1985, thereby restoring Gramm-Rudman-Hollings sequestration cuts to the program. (Vote No. 161—99th Congress, 2nd Session)

   68% of Democrats voting supported the amendment.

   72% of Republicans voting opposed the amendment.

   The amendment was rejected, 47-53.

   July 22, 1986.

2) Sasser motion to waive section 302(a) of the Budget Act (which requires that the Agriculture Committee must have filed its allocation of spending authority prior to consideration of this amendment) to allow consideration of the Sasser amendment (to the Debt Limit Extension bill) to provide emergency assistance to farmers and ranchers adversely affected by the summer drought and hot weather. (Vote No. 173—99th Congress, 2nd Session)

   93% of Democrats voting supported the motion.

   76% of Republicans voting opposed the motion.

   The amendment was adopted by voice vote after the motion to waive the Budget Act was agreed to, 55-40.

   August 1, 1986 (session of July 31, 1986).

3) Boren motion to waive section 302(f) of the Budget Act in order to permit consideration of the Boren, et al, amendment (to the Continuing Resolution) which allows prepayment of Rural Electrification Administration loans without penalty, provides for cattle restitution payments, establishes a soybean loan rate of $5.02 per bushel, specifies a new basis for determining wheat deficiency payments for the 1986 crop, and includes additional disaster assistance for farmers and ranchers, an agricultural loan interest subsidy program, child nutrition programs, a sunflower loan and marketing loan program, and a heptachlor contamination indemnity program. (Vote No. 304—99th Congress, 2nd Session)

   74% of Democrats voting supported the motion.

   79% of Republicans voting opposed the motion.

   The motion to waive was rejected, 45-53.

   October 1, 1986.

The Boren motion to waive the Budget Act was necessary in order to consider his amendment making several important changes in agriculture programs to aid hard pressed farmers. The amendment would assist cattle ranchers hit by the unintended effects of the dairy termination program authorized in the 1985 farm bill, help farmers and ranchers hit by natural disasters, especially the 1986

drought in the southeast, speed deficiency payments to farmers suffering from a shortage of cash, and provide interest rate relief for debt burdened farmers and ranchers. It also includes the provisions of the conference report on the child nutrition reauthorization bill, H.R. 7. In short, the bill would help thousands of American farmers and ranchers struggling to make ends meet, while simultaneously continuing the vital nutrition program for young school children everywhere. The amendment would pay for these programs by authorizing REA borrowers to prepay their loans without penalty. Despite the many merits of this amendment, Republican opposition defeated the waiver motion, thus preventing the amendment from being offered.

4) Hatfield motion to table the Melcher modified amendment (to the Continuing Resolution) expressing the sense of the Senate that the Secretary of Agriculture should use existing surplus stocks of wheat and corn to make flour and cornmeal for use in feeding the poor, and to provide surplus agricultural commodities to aid the Philippines, certain African nations, India, and Bangladesh. (Vote No. 325—99th Congress, 2nd Session)

96% of Democrats voting opposed the motion.

86% of Republicans voting supported the motion.

The motion to table failed, 46-52.

October 3, 1986.

The Melcher amendment urged the Secretary of Agriculture to convert some of the wheat and corn currently stockpiled into flour and cornmeal that is more readily used in feeding programs. It also urged the Secretary to make available to specified countries certain minimum amounts of surplus wheat, soybeans, and dairy products. These actions would not only help to feed hungry people at home and abroad but would reduce American agricultural surpluses, which are further depressing prices in an already bleak market. Despite Republican opposition, the tabling motion failed and the amendment subsequently was agreed to by voice vote.

5) Hatfield motion to table the Melcher perfecting amendment (to the Continuing Resolution) which requires the Secretary of Agriculture to sell notes or other obligations held by the Department in order to raise $50 million for the Temporary Emergency Food Assistance Program, which makes surplus food products available to needy families. (Vote No. 353—99th Congress, 2nd Session)

89% of Democrats voting opposed the motion.

88% of Republicans voting supported the motion.

The motion to table was agreed to, 47-45.

October 17, 1986 (session of October 16, 1986).

The Melcher amendment was another attempt to both help hungry people by providing additional food products through the Temporary Emergency Food Assistance Program and at the same time reduce agricultural commodity surpluses, thereby improving prospects for farmers to receive a better price for their crops. The amendment would not have increased the deficit since the funds necessary to pay for this amendment would be raised through the sale of government notes or other obligations.

Unfortunately, Republican opposition to this amendment led to its being tabled.

BUDGET DEFICIT REDUCTION

Introduction

During 1986, the Senate considered and defeated a proposal for a constitutional amendment requiring a balanced budget, passed legislation amending the automatic deficit reduction procedure enacted in 1985, and passed legislation again raising the public debt ceiling.

The Record

Proposed Constitutional Amendment Requiring a Balanced Federal Budget

During the second session of the 99th Congress, the Senate considered and ultimately defeated (with one fewer favorable vote having been cast than was necessary to attain the required two-thirds favorable vote for constitutional amendments) a proposed constitutional amendment requiring a balanced budget. During consideration of this measure, Democrats actively sought, and strongly supported, several efforts to create as fair and workable a proposal as possible in case the amendment were to become a part of the Constitution.

1) Deconcini motion to table the Metzenbaum amendment (to the Thurmond substitute amendment No. 1652 for the Balanced Budget Constitutional Amendment) to add a new section to the constitutional amendment that requires the President to submit a balanced budget to Congress prior to each fiscal year and allows the President also to recommend an alternative budget in which outlays exceed receipts with an explanation for such excess. (Vote No. 29—99th Congress, 2nd Session)

   84% of Democrats voting opposed the motion.

   89% of Republicans voting supported the motion.

   The amendment was tabled, 54-44.

   March 11, 1986.

During consideration of the Balanced Budget Constitutional Amendment, Democrats contended that if such a requirement were to be included in the U.S. Constitution, there should also be a requirement that the President submit a balanced budget to the Congress. Democrats noted that the proposed constitutional amendment was advanced and strongly supported by the Reagan

Administration, but that the Administration had never, during its 5 years in office, submitted a balanced budget. Democrats voted overwhelmingly (84 percent) to insist that the President be required to be a part of the budget process in that manner, while 89 percent of the Republicans disagreed, and the proposal was defeated on a tabling motion.

2) Simon motion to table the Heflin amendment (to the Thurmond substitute amendment for the Balanced Budget Constitutional Amendment) to provide for an automatic waiver of the Balanced Budget Constitutional Amendment during any fiscal year in which a declaration of war is in effect, and establish a two-stage waiver process for periods of undeclared war in which Congress must: (1) adopt a joint resolution by a majority of the full membership of each House, signed by the President, declaring that "the U.S. is engaged in military conflict which causes an imminent and serious military threat to national security" and (2) adopt another joint resolution, also by a majority of each House and signed by the President, to waive the balanced budget requirement. (Vote No. 31—99th Congress, 2nd Session)

74% of Democrats voting opposed the motion.

75% of Republicans voting supported the motion.

The amendment was tabled, 52-48.

March 12, 1986.

Proponents of this amendment argued that the proposed constitutional amendment creates a major problem when it fails to recognize that it may be vital to have the ability to waive the provisions of the constitutional amendment in cases of armed conflict other than just those where there is a formal declaration of war. They pointed out there have been only 5 declared wars in our history, and that such major conflicts as the Korean War and the Vietnam War were undeclared.

To try to provide more flexibility in the interests of national security, the amendment offered by Senator Heflin would allow waiver of the balanced budget requirement any time a two-step waiver process was completed, where (1) the Congress adopts a joint resolution, which becomes law with appropriate presidential action, declaring that the U.S. is engaged in an undeclared conflict threatening the national security; and (2) the Congress adopts a second joint resolution, which also must become law with appropriate presidential action, to waive the balanced budget requirement.

Opponents, principally Republicans, argued that such flexibility was not desirable, and tabled the amendment.

3) Hatch-Thurmond, et al. modified amendment (to the Thurmond substitute amendment for the Balanced Budget Constitutional Amendment) to add new language which states that: "The public debt of the U.S. shall not be increased to fund any excess of outlays over receipts for any fiscal year, unless three-fifths of the whole number of both Houses of Congress shall provide, by law, for such an increase." (Vote No. 35—99th Congress, 2nd Session)

66% of Democrats voting opposed the amendment.

82% of Republicans voting supported the amendment.

The amendment was agreed to, 57-40.

March 13, 1986.

Democrats also tried, unsuccessfully, to block a Republican addition to the constitutional amendment to require a three-fifths vote to increase the debt limit. Democrats contended that passage of legislation to increase the debt limit to cover the incurred obligations of the Federal government was a ministerial task, and that failure to raise the debt ceiling as required would ignore congressional budget decisions already made, and would be unfair to people who, in good faith, have relied on the good credit of the Federal government. Consequently, the amendment's opponents argued that such a provision should not be made a part of the constitutional amendment. However, 82 percent of the Republicans disagreed, and this amendment was adopted.

Gramm-Rudman Deficit Reduction

After the Supreme Court declared the key section of the original Gramm-Rudman-Hollings law unconstitutional, which provided an automatic "sequestration" or across-the-board budget cut if Congress failed to enact legislation necessary to attain specified deficit reduction targets over a 5-year period until the budget was balanced, its authors attempted to change the procedure to give the authority to order automatic spending cuts to the Office of Management and Budget.

4) Heinz motion to table the Exon motion to commit the bill increasing the debt ceiling to $2.3228 trillion to the Government Affairs Committee with instructions to report back sense of the Senate language that the "fallback" provisions in the sequestration section of the original Gramm-Rudman-Hollings Act should be utilized, if necessary, and that Congress should vote on all specific measures to reduce the deficit. (Vote No. 166—99th Congress, 2nd Session)

66% of Democrats voting opposed the motion.

96% of Republicans voting supported the motion.

The motion to table the motion to commit was agreed to, 66-33.

July 30, 1986.

The Exon motion sought to reaffirm the provision of the original act that provided for congressional action to reduce the deficit if the "automatic" procedures were found unconstitutional. Proponents said that the automatic process was a way to avoid congressional responsibility to determine fiscal policy, and turns the business of determining funding levels over to computers—assuming that all spending programs are of equal value, whether they construct Federal office buildings or educate our children, or whether they defend our Nation from armed aggressors or promote tourism. However, the Republican majority opposed the sense of the Senate language that Congress should vote on spending cuts and succeeded in tabling the amendment.

Raising the Public Debt

5) Reconsideration of Vote No. 254 on the passage of the bill which increases the statutory limit on the public debt by $32.3 billion from $2.0787 trillion to $2.111 trillion and modifies the procedures under the Balanced Budget and Emergency Deficit Control Act of 1985 (Gramm-Rudman-Hollings). (Vote No. 255—99th Congress, 2nd Session)

72% of Democrats voting opposed reconsideration.

74% of Republicans voting supported reconsideration.

The bill was passed, 36-35.

August 16, 1986 (Session of August 15).

At the end of FY 1981, the public debt stood at $999 billion. Since that time, the debt has more than doubled to $2.1 trillion. Yet the Administration has consistently refused to propose changes in its fiscal policy that would result in a balanced Federal budget. Instead, it has argued for balanced budget amendments to the Constitution, for additional presidential authority to veto line items of appropriations bills, and for "automatic" budget balancing laws (Gramm-Rudman-Hollings). The majority of Democrats, not seeing any willingness on the part of the President to face up to the tough deficit reduction choices that his policies over the past five years have made necessary, did not wish to vote to further raise the public debt. The bill—which added $32 billion to the public debt, an amount sufficient to carry the Federal government through the subsequent six weeks—was passed primarily with Republican votes.

CONSUMER ISSUES

Introduction

Democrats in the Senate demonstrated on several votes their concern for American consumers. In the first case, they strongly opposed a back door effort to allow the price for natural gas discovered before April 1977 to be increased by the Reagan Administration's Federal Energy Regulatory Commission (FERC), despite Congress' earlier actions to maintain price controls on such "old" gas.

In the second case, a strong majority of Senate Democrats opposed the nomination of a Consumer Product Safety Commission member, Terrence Scanlon, to be Chairman of the CPSC, because his record raised troubling questions of his objectivity and commitment to the well-being of consumers, and because of charges he had used government resources for personal gain—charges which he first denied, but later admitted some to be true. Virtually every Republican voting voted to approve President Reagan's nomination despite these considerations.

Finally, Democrats sought to provide increased local control over electric utility rates by restricting the ability of the Federal Energy Regulatory Commission (FERC) to allow utilities to pass through costs of abandoned or cancelled generating plants to purchsers of electricity.

The Record

1) Hatfield motion to table the Exon, et al, amendment (to the Supplemental Appropriations bill) to prohibit any funds appropriated in this Act from being used to implement Federal Energy Regulatory Commission regulations which would raise the price of "old" natural gas. (Vote No. 120—99th Congress, 2nd Session)

   73% of Democrats voting opposed the motion.

   72% of Republicans voting supported the motion.

   The amendment was tabled, 48-47.

   June 6, 1986.

The Federal Energy Regulatory Commission proposed a regulation which could have resulted in the *de facto* deregulation of "old" natural gas, as defined in the Natural Gas Policy Act of 1978 (gas that was flowing before April 1977). Concern was expressed by supporters of the Exon amendment that

if FERC were to adopt the proposed rule, it would result in signficant increases in the price of "old" natural gas. This, in turn, would have an adverse economic impact on many natural gas users, such as farmers, residential consumers, and small businesses.

In addition to raising the heating bills of thousands of residential natural gas consumers, the proposed FERC action could cost the Nation as much as $1 billion, without resulting in additional production or the location of new supplies of natural gas.

Since the enactment of the Natural Gas Policy Act of 1978, Congress has reaffirmed its decision to continue Federal price controls on supplies of "old" gas. In 1983, Congress rejected, by a large margin, legislation which would have decontrolled the price of "old" natural gas. The action proposed by FERC was an effort to do an "end run" around the Congress. Despite the numerous faults of the proposed FERC action, the Republican majority tabled the Exon amendment, which would have denied FERC the funds needed to implement its rule.

2) Confirmation of the nomination of Terrence M. Scanlon, of the District of Columbia, to be Chairman of the Consumer Product Safety Commission. (Vote No. 155—99th Congress, 2nd Session)

70% of Democrats voting opposed the nomination.

98% of Republicans voting supported the nomination.

The nomination was confirmed, 63-33.

July 15, 1986.

The Consumer Product Safety Commission plays an important role in protecting the American consumer from products which present a risk of injury or death. Democrats believe that individuals serving on the Commission must be of the highest integrity, and possess qualifications which include a desire to protect the American public from unsafe products.

Therefore, the President's nomination of Terrence M. Scanlon to be the Chairman of the Consumer Product Safety Commission became the focus of controversy. Democrats expressed serious concerns about Mr. Scanlon's record during his tenure as a commission member. During that time, there are indications that he consistently opposed efforts to take vigorous action against products which were deemed by the commission to be unsafe. In addition, there were charges that Mr. Scanlon, while a member of the commission, used commission employees to conduct his personal business from 1983 to 1985. Mr. Scanlon at first denied under oath the allegations made against him. But when

confronted by unequivocal evidence to the contrary, he admitted that he had used a commission employee for personal business. Despite these concerns, the Republican majority prevailed, and the nomination was confirmed by a vote of 63-33.

3) Bumpers question of germaneness of the Bumpers, et al, amendment (to the Continuing Resolution) which prohibits the use of funds for the Federal Energy Regulatory Commission to allow a rate for the transmission of electricity which includes the cost of an abandoned or cancelled generation facility unless such inclusion is permitted by the State or local government having jurisdiction over the wholesale purchaser of the electricity. (Vote No. 316—99th Congress, 2nd Session)

87% of Democrats voting considered the amendment germane.

90% of the Republicans voting considered the amendment not germane.

The amendment was determined to be not germane by a vote of 45-53 and, thus, was rejected.

October 2, 1986.

The amendment sought to protect electric utility consumers by prohibiting the pass-through of costs related to cancelled or abandoned generating plants unless a state or local regulatory agency permitted such a pass-through. Since the Federal government currently has exclusive rate setting authority over these wholesale sales, this amendment would provide for more State/local control over the rates paid by consumers as a result of such sales. However, Republican opposition to the amendment led to its rejection.

DEFENSE

Strategic Defense Initiative (SDI)—"Star Wars"

Few national security programs have caused more controversy in the United States, and among our allies in Europe and in the Pacific Ocean region, than the Strategic Defense Initiative. SDI has profound implications for the future size and composition of our defense budget, for our security and the security of our allies, for our relations with our principal adversary—the Soviet Union—and for the future of arms control.

Senate Republicans have given the Administration almost a "blank check" for SDI funding, and for determining the program's objectives and policies. On the other hand, Senate Democrats have evaluated the program from the perspective of what type of SDI research will contribute the most to U.S. and allied national security, and will do so at an affordable cost and without hindering prospects for reasonable arms control agreements.

Senate Democrats support a vigorously-funded SDI research program because it is important that the United States possess an insurance policy against Soviet research into ballistic missile defense technologies. However, given other priority military programs which must be funded while the total Federal budget is limited by the necessity to reduce the staggering deficits, Senate Democrats believe greater increases to overall U.S. national security would occur if SDI is funded at more prudent and efficient levels.

Senate Democrats also acted on concerns about serious program management questions being raised about SDI. For example, major basic disagreements within the Administration about the goals of the program have been made public. Also, scientists at the government's national nuclear weapons laboratories, which are key participants in SDI research, have questioned Administration claims about the extent of recent progress in the program.

Finally, the potential for waste of scarce taxpayer dollars is greatest in military programs which receive excessive increases in their budgets from one year to the next. Thus, Senate Democrats

concluded that it was neither militarily nor fiscally justified to approve proposals by the Administration to increase SDI by 73 percent, or by the Republican-controlled Senate Armed Services Committee to increase SDI by 28 percent, after inflation, especially when many other defense programs are being underfunded and most domestic program funding is being reduced drastically.

To assure measured technological progress in SDI at the most efficient funding levels, the first major SDI amendment supported by Senate Democrats would have authorized a robust funding level of $3.241 billion for the program in FY 1987—an increase of $225 million over the FY 1986 program level and one which represents a healthy 3 percent growth rate after inflation. The second amendment, proposed after the first was narrowly defeated largely by Republican opposition, would have authorized $3.561 billion in FY 1987, an increase of $392 million over FY 1986 and a 15 percent growth rate after inflation. That amendment also was narrowly rejected, with most Senate Republicans voting against it.

1) Warner motion to table the Johnston-Evans, et al, amendment (to the DOD Authorization bill) to reduce the authorization for SDI by $712 million (from $3.953 billion to $3.241 billion) which would provide for a $225 million spending increase over FY 1986 or a 3 percent real growth rate, instead of 28 percent as provided for in the bill. (Vote No. 176—99th Congress, 2nd Session)

   81% of Democrats voting opposed the motion.

   79% of Republicans voting supported the motion.

   The amendment was tabled, 50-49.

   August 5, 1986.

2) Exon-Johnston amendment (to the DOD Authorization bill) to reduce SDI funding by $392 million (from $3.953 billion to $3.561 billion) which would provide for a 15 percent growth rate, instead of 28 percent as provided for in the bill. (Vote No. 177—99th Congress, 2nd Session)

   83% of Democrats voting supported the amendment.

   81% of Republicans voting opposed the amendment.

   The amendment was defeated, 49-50.

   August 5, 1986.

Anti-Satellite (ASAT) Space Defense System Weapon

The development of high-altitude anti-satellite weapons by the Soviets could threaten American satellites which make critical contributions to U.S. national security in terms of maintaining military capabilities, preserving nuclear stability, and contributing to viable arms control arrangements.

However, instead of trying to reduce prospects for development of such a threat to our national security, the Administration has decided to procure a low-altitude ASAT weapon, the development of which may well increase the Soviet threat to our own satellites by escalating the ASAT race in space. In addition, the U.S. General Accounting Office, Congress's watchdog investigative agency, has raised serious questions about the rising costs and technological problems besetting the U.S. low-altitude ASAT program.

Senate Democrats supported efforts to manage the ASAT program to reduce its negative impacts on arms control and to permit resolution of serious technical problems before rushing forward with certain tests against targets in space. Senate Republicans primarily have rejected these concerns about the negative national security impacts of this program, and they overwhelmed an amendment to assure that provacative testing by the U.S. would occur only if the Soviets are conducting such tests.

3) Warner motion to table the Kerry amendment (to the DOD Authorization bill) to prohibit the use of funds to carry out a test of the Space Defense System (anti-satellite weapon) against an object in space until the President, using existing authority, certifies to Congress that the U.S.S.R. has conducted, after passage of this Act, its own test of a dedicated anti-satellite weapon. (Vote No. 192—99th Congress, 2nd Session)

   72% of Democrats voting opposed the motion.

   81% of Republicans voting supported the motion.

   The amendment was tabled, 55-43.

   August 8, 1986.

Bigeye Binary Chemical Bomb

The Administration is undertaking an expensive program to develop and deploy a new generation of offensive chemical weapons—binary artillery shells and the Bigeye binary chemical bomb. Considering the size of our present stockpile of chemical munitions, questions persist about the military justification for these nerve gas weapons, as well as about the impact on ongoing chemical weapons arms control talks of a U.S. decision to produce such weapons for the first time since 1969. In addition,

the General Accounting Office has documented major developmental and testing problems with the Bigeye bomb program.

Senate Democrats believe that the Administration's emphasis on developing new, offensive chemical weapons is misplaced, and that our military capabilities should be strengthened by improving our chemical warfare defenses and pursuing meaningful chemical weapons arms control. Besides concerns about the military utility and arms control aspects of the Bigeye, Senate Democrats also do not believe U.S. tax dollars should be spent to produce or buy a weapon which does not work. There already are too many weapons in the U.S. arsenal which do not meet performance requirements. These concerns and the technical flaws with the Bigeye bomb prompted Senate Democrats to support an amendment this year to continue research on the bomb but prevent procurement or production of it until Congress specifically authorizes use of funds for such purposes at a later date.

Senate Republicans voted to begin Bigeye bomb production nonetheless. Senate Democrats scored an initial victory on this issue by defeating a Republican move to table the amendment preventing Bigeye production. However, with Vice President George Bush breaking a tie vote, the amendment itself was defeated with most Senate Republicans voting against it, allowing Bigeye production to proceed.

4) Cohen motion to table the Pryor-Gorton-Hatfield amendment (to the DOD Authorization bill) which strikes $57 million for the procurement or production of the Bigeye binary chemical bomb until Congress passes further legislation authorizing the obligation and expenditure of these funds, but retains the Administration's request for continuing an R&D test program of the Bigeye. (Vote No. 183—99th Congress, 2nd Session)

78% of Democrats voting opposed the motion.

74% of Republicans voting supported the motion.

The motion was defeated, 49-50.

August 7, 1986.

5) Pryor-Gorton-Hatfield amendment (to the DOD Authorization bill) which strikes $57 million from the bill for the procurement or production of the Bigeye binary chemical bomb until Congress passes further legislation authorizing the obligation and expenditure of these funds, but retains the Administraiton's request for continuing an R&D test program of the Bigeye. (Vote No. 184—99th Congress, 2nd Session)

77% of Democrats voting supported the amendment.

74% of Republicans voting opposed the amendment.

The amendment was defeated, 50-50, with the Vice President voting nay to break the tie.

August 7, 1986.

Pentagon Fiscal Responsibility

Senate Democrats have been in the forefront of congressional efforts to eliminate the waste, fraud, abuse, and inefficiency which squanders so much of the Pentagon budget. On several occasions, Senate Democratic initiatives have been adopted in the face of continued opposition from the Department of Defense, along with many Senate Republicans.

During consideration of the omnibus spending bill for fiscal 1987, Senate Democrats again demonstrated they were more concerned about protecting scarce taxpayer resources in these days of staggering federal spending deficits—as well as about obtaining the most combat capabilities possible from fiscally responsible military budgets.

The Leahy-Pryor amendment was designed to reinforce congressional discipline and control of the Pentagon's budget by legally prohibiting the Pentagon from overbudgeting for its major programs. Senate Democrats wanted to ensure an end to the past Pentagon practice of allocating sums far in excess of those actually required to pay for weapons systems. This practice resulted in receipt by the Pentagon of billions of dollars of unneeded funds in the last several years, according to Congress's watchdog agency, the General Accounting Office (GAO). The Leahy-Pryor amendment also was designed to increase the circulation of important Defense Department budget information to the Congress, to better enable congressional committees to monitor Pentagon spending. Unfortunately, Republicans voted strongly to declare the amendment not germane to the Continuing Resolution, thereby preventing the Senate from considering and acting on the amendment.

(6) Leahy question of the germaneness of the Leahy, et al, amendment (to the Continuing Resolution), which requires the Department of Defense to base its budgetary requests for major weapons systems on the same inflation forecast (the GNP deflator) used by other Federal agencies; prohibits DOD from using any special inflation multipliers; and requires a section 1407 report to be provided to the Budget and Appropriations Committees, as well as the Armed Services Committee. (Vote No. 317—99th Congress, 2nd Session)

85% of Democrats voting considered the amendment germane.

83% of Republicans voting considered the amendment not germane.

The amendment was declared not germane by a vote of 48-50, thereby preventing the Senate from considering it.

October 2, 1986.

EDUCATION: REAUTHORIZATION OF THE HIGHER EDUCATION ACT

Introduction

The major education legislation considered by the Senate in the second session of the 99th Congress was the reauthorization of the Federal government's higher education programs. The Reagan Administration's FY 1987 budget proposed draconian cuts, including a 26 percent reduction from FY 1986 levels in appropriated items—Federal assistance to higher education. The Administration proposed drastic changes to the Guaranteed Student Loan Program that many experts believed threatened the very existence of the program. The budget also proposed cuts in the Pell Grant Program that would have eliminated the eligibility of over one million students.

The Senate Labor and Human Resources Committee overwhelmingly rejected the Administration's budget and proposed, at minimum, to maintain funding for higher education at current levels. Nevertheless, when the Committee's recommendations were considered by the Senate, the Administration once again mounted an effort to reduce spending for higher education.

Senate Democrats actively sought to blunt this effort. In addition, armed with recent major studies of the state of American education which cited the need for more and better teachers, Senate Democrats attempted to strengthen the Federal commitment to training of teachers.

Democrats also fought a controversial amendment that would restrict judicial remedies related to school desegregation.

The Record

1) Bingaman, et al, modified amendment (to the Higher Education Amendments bill) to authorize the establishment of a Future Teacher Training Corps Fellowship program which would encourage individuals to enter teaching in subject areas suffering teacher shortages by providing grants to States for 5,000 graduate fellowships of up to $5,000 each to be awarded to outstanding individuals interested in elementary and secondary school teaching careers in geographic areas and/or subject fields where a teacher shortage exists. (Vote No. 107—99th Congress, 2nd Session)

79% of Democrats voting supported the amendment.

94% of Republicans voting opposed the amendment.

The amendment was rejected, 37-57.

June 3, 1986.

The Bingaman amendment was a Democratic response to the bill's proposed cuts in teacher training programs and to the increasing recognition of the critical shortage of teachers, especially minority teachers and teachers in such subject areas as math and science. Support for teacher training programs is a wise and necessary investment in the future—for our Nation's economic and national security needs, and the $25 million cost of the Future Teacher Training Corps pales in comparison to the $204 million requested by the Administration for Reserved Officer Training Corps (ROTC) during a time when the Nation has experienced no shortage of military officers. Republicans voted overwhelmingly against the amendment, assuring its defeat.

2) Helms motion to table the Helms amendment (to the Higher Education Amendments bill) which prohibits the courts from issuing any writ ordering a student to be transported to a public school other than the one closest to the student's residence and authorizes the Attorney General to institute a civil action in any District Court on behalf of those who believe their children are being bused in violation of these provisions. (Vote No. 108—99th Congress, 2nd Session)

70% of Democrats voting supported the motion.

71% of Republicans voting opposed the motion.

The amendment was withdrawn after the motion to table was rejected, 45-50.

June 3, 1986,

The Helms amendment called for restricting judicial remedies available to deal with school desegregation in elementary and secondary schools. A bipartisan group of Senators, led by Senators Simon and Baucus along with Senators Weicker, Mathias, and Specter, headed an offensive on the Helms amendment, maintaining that it was such a destructive amendment that it was not and must not be seen as a referendum on busing. The amendment would limit the authority of Federal judges, threaten the independence of the judiciary, undermine basic constitutional rights, and establish an unnecessary constitutional confrontation. In the midst of this sharp debate, realizing opponents intended to debate the amendment to considerable length, Senator Helms, in an unorthodox maneuver, moved to table his own amendment and announced his intention to withdraw the amendment should the motion to table fail. Thus, while the motion to table would be of no legislative consequence, nevertheless, the overwhelming majority of Senate Democrats voted to table the amendment. However, the motion to table was rejected by a vote of 45-50. Subsequently, the Helms amendment was withdrawn.

3) Dole-Pell substitute amendment (to the Stafford amendment to the Higher Education Amendments bill) which sets the maximum Pell Grant award in FY 1987 at $2,300 (the House-passed level) instead of $2,400 (as reported by the Senate Labor and Human Resources Committee), and sets the maximum increase per year at $200 through FY 1991; reduces from 3.25 percent to 3 percent the special allowance payment to banks that participate in the Guaranteed Student Loan Program; and tightens the definition of "independent students." (Vote No. 109—99th Congress, 2nd Session)

76% of Democrats voting opposed the amendment.

96% of Republicans voting supported the amendment.

The amendment was agreed to, 60-34.

June 3, 1986.

Senator Dole offered this amendment as a direct result of meetings with the Secretary of Education, who indicated such changes were necessary to remove Administration opposition to the bill. Senators Simon and Kennedy led the opposition to the amendment, arguing that reducing the maximum Pell Grant during a period of rapidly rising college tuitions was economic nonsense and threatened the ability of poor students to finance their educations. They also argued that reducing the GSL special allowance was a disincentive for banks' participation, thus jeopardizing the availability of loans to students. Nevertheless, with all but two voting Republicans supporting it, the Dole amendment was approved.

FOREIGN AFFAIRS

Central America

On February 25, 1986, President Reagan requested that Congress approve $100 million assistance to the Contras by transfer from already appropriated Department of Defense funds. Of the $100 million, $30 million would be used for humanitarian assistance, to be administered by the State Department's Nicaraguan Humanitarian Assistance Office. More important, $70 million would be used for the first overt military assistance to the Contras and could be administered by the CIA, the Department of Defense, or any other intelligence agency of the U.S. government.

In the first action on the President's proposal, on March 20, the House of Representatives rejected the request by 222 to 210. On March 27, the Senate approved a modified version of the request. In a series of important votes, however, the Senate Democrats staked out a new position on Central America, insisting that what was needed was bilateral negotiations between the U.S. and the Sandinista regime—not military aid to the Contras.

House action on the President's request was postponed in mid-April due to parliamentary maneuvering and final House action did not come until June 25 when the House approved $100 million in aid to the Contras and $300 million in economic assistance to the region by a vote of 221-209.

In mid-August of 1986, the U.S. Senate approved $100 million in funding for the Administration's not-so-secret war in Nicaragua. In a series of votes, overwhelmingly along party lines, the Senate endorsed the Reagan Administration's five and one-half year policy of escalating American military involvement in Central America and pursuing solutions to that region's many complex problems primarily through war, not diplomacy.

These votes endorsed a policy that has led the United States to mine the harbors of Nicaragua, to ignore the advice of most of our allies in the region, and to become involved in covert operations of an army of Nicaraguan exiles.

Furthermore, these were votes in favor of a policy of provocation that is undermining and could well destabilize the nascent democratic governments of countries surrounding Nicaragua, including Costa Rica, Honduras, El Salvador, and Guatemala. This policy also prompts, or at least provides an excuse for, the Sandinista government to increase domestic repression, including harassing the church and closing the free press, and is driving the Sandinista regime even closer into the embrace of the Soviet Union and Cuba. This policy is putting the United States on a one way road to involvement in a war—a war that could eventually lead to the intervention of American troops in the jungles of Central America.

Senate Democrats oppose the Sandinista regime's suppression of democracy in Nicaragua and its involvement with the Soviet Union and Cuba. However, most Senate Democrats and most Americans want the U.S. to promote peace and stability in Central America primarily with negotiations—not guns.

The Senate's votes in support of Contra aid were votes in favor of an obviously failed policy. After more than five years of this policy of deceit and violence, Soviet presence and Soviet weapons in Nicaragua have increased, not decreased; no peaceful settlement is in sight; and the Sandinista government is well entrenched while the American-supported, CIA-backed Contras remain a fringe element in the country—nowhere close to toppling the government and unable to win the support of the people of Nicaragua.

Time and again, through a series of amendments offered to the 1987 Military Construction bill, Senate Democrats underscored that there was another road worth pursuing—the traditional American path of negotiations and diplomacy. They pointed out that this path could have been, and can now be, followed without supporting the repressive, Marxist Sandinista regime, or permitting the establishment of a Soviet beachhead in Central America.

These amendments, and the strong Republican opposition to them, highlighted the bankruptcy of the military solution being pursued by the Administration at the same time they offered an alternative solution—a diplomatic track involving U.S.-Nicaraguan bilateral diplomacy and support for the Contadora negotiating process established by the democratic nations of Central and South America.

One by one these Democratic alternatives to war were rejected by votes overwhelmingly along party lines.

1) Helms substitute amendment (to the Contra Aid bill) which would make Contra funds available after May 15, 1986, if the President determines and reports to Congress that Nicaragua: 1) has not terminated all overt and covert aggression against other countries; 2) has not terminated all importation of military supplies and foreign military and security personnel; 3) has not expelled all Soviet and Cuban personnel in Nicaragua; 4) is delaying the implementation of the above acts in order to pursue decisive military victory against the Contras; 5) has not explicitly acknowledged an obligation to the Organization of American States (OAS) to implement democracy; and 6) has not given permission for all political parties to begin organizing political activities in preparation for elections to be held at a future date. (Vote No. 47—99th Congress, 2nd Session)

   93% of the Democrats voting opposed the amendment.

   68% of the Republicans voting supported it.

   The amendment was rejected, 39-60.

   March 27, 1986.

Democrats argued that the U.S. should not continue to fuel warfare by providing more military aid to the Contras, but should first sincerely and energetically seek a diplomatic solution to the Nicaraguan situation.

2) Sasser-Gore-Exon substitute amendment (to the Contra Aid bill) which restricts aid to the Nicaraguan Contras to $30 million in humanitarian assistance, $3 million of which is to promote advancement of human rights; prohibits assistance to the Contra forces by or through the CIA or other intelligence-gathering U.S. government entities; requires the U.S. to begin serious bilateral negotiations with the Nicaraguan government, provided that a ceasefire is established, without requiring, as a precondition, negotiations between the Sandinista government and the Contras; establishes a ten-member Senate Central American Negotiations Observer Group to report to Congress, within six months, on the status of any negotiations; and requires the President to fully account to Congress every 30 days on the use of these funds. (Vote No. 48—99th Congress, 2nd Session)

   68% of Democrats voting supported the amendment.

   98% of Republicans voting opposed it.

   The amendment was rejected, 33-67.

   March 27, 1986.

The Sasser Amendment staked out a new position for Democrats on how to deal with the Contra problem. Believing that the central problem is conflicting security needs of the U.S. and the Sandinistas, the Sasser amendment focused on requiring the Administration to engage in good-faith, bipartisan, bilateral negotiations with the Nicaraguan government. Supporters argued it was time to test what the Sandinistas have said publicly: that they are willing to negotiate on the issues of foreign

bases, advisers, and reductions of armaments. The U.S. should not grant military aid to the Contras until all diplomatic alternatives have been exhausted.

Moreover, Democrats argued, the eight nations involved in the Contadora process asked that this military aid not be granted and indicated that such overt assistance could jeopardize diplomatic efforts in the region. Military assistance only escalates the conflict in Central America, encourages further militarization in Nicaragua, and bolsters the Sandinistas' internal support. The continuing existence of an external threat to the regime provides an excuse for the Sandinistas to curtail civil liberties, rationalize their economy's poor performance, and further consolidate their authoritarian regime.

Democrats argued that only through direct, bilateral negotiations can the U.S. protect our national security interests, avoid further involvement of U.S. military forces there, and ensure that Nicaragua will not become the base of Soviet operations in Central America. Nonetheless the amendment was defeated, with 98 percent of voting Republicans opposing it.

3) Lugar, et al, modified substitute amendment (to the Contra aid bill) which provides $100 million, by transfer from already appropriated FY 1986 Department of Defense funds, to aid the Nicaraguan democratic resistance (Contras) of which $30 million is for humanitarian aid (including anti-aircraft weapons); delays the delivery of $75 million of these funds for 90 days to give the Sandinistas an opportunity to negotiate with the Contras and the Contadora process time to achieve a regional settlement; allows the release of $15 million every three months beginning July 1 if the President certifies to Congress that there is no reasonable prospect of achieving an agreement; and gives Congress the right to disapprove additional aid by enactment of a joint resolution (which could be vetoed, and therefore would need two-thirds support in both Houses to be overridden). (Vote No. 51—99th Congress, 2nd Session)

   77% of Democrats voting opposed the amendment.

   79% of Republicans voting supported it.

   The amendment was agreed to, 53-47.

   March 27, 1986.

Democrats argued that the provision of overt military assistance to the Contras would lead to U.S. military involvement and loss of American lives. The current U.S. policy in Central America violates international law and is opposed by almost two-thirds of the American public.

U.S. support of the Contra military leadership allows the Sandinistas to pose as defenders of their nation against U.S. oppression and strengthens their control over Nicaragua. Democrats argued

that, according to the GAO, the humanitarian aid approved in the summer of 1985 was abused and misused, leaving much of it unaccounted for. There were no guarantees that this $100 million would be any better spent.

Democrats also argued that although the Contadora talks had not yet been fruitful, that did not mean that they would never succeed. The Caraballeda message of January 12, 1986, reaffirmed the belief of the Contadora and Contadora Support Group nations that positive change in Nicaragua must come through regional cooperation and direct talks between the U.S. and the Sandinistas. However, President Reagan refuses to negotiate unless the Sandinistas negotiate first with the Contras—a precondition designed to prevent bilateral talks.

Opponents of the Lugar amendment argued that the U.S. policy of arming the Contras is unlikely ever to advance the goal of peace in the region, but a negotiated settlement would. After more than five years and considerably more than $100 million in aid to the Contras, there is little evidence that the Contras have been able to gain the support of the Nicaraguan people. The Administration's proposal is inadequate to meet its declared objectives and, accordingly, is a formula for failure.

The Lugar amendment prevailed, and the Senate ultimately passed the Contra bill.

4) Mattingly motion to table the Sasser-Dodd, et al, amendment (to the Military Construction appropriations/Contra Aid bill) to strike Titles II and III of the Military Construction bill. Title II provided $100 million in military assistance and humanitarian aid to the Nicaraguan Contras and $300 million in additional economic aid to Costa Rica, El Salvador, Guatemala, and Honduras. Title III increased the African Famine Relief Fund by $300 million to be transferred by Title II to the above four Central American countries. (Vote No. 211—99th Congress, 2nd Session)

77% of Democrats voting opposed the motion.

81% of Republicans voting supported the motion.

The amendment was tabled, 54-46.

August 12, 1986.

Later in the year, in August, the Contra aid issue once again came before the Senate in the form of an amendment to the Military Construction Appropriations bill. (The Contra aid bill passed in March by the Senate never became law.)

A number of Democratic Senators, led by Senators Sasser and Dodd, offered an amendment which would have eliminated funding for the Contras and for unjustifiably large amounts of economic

aid to Central America by striking the Contra provisions from the Military Construction bill. Democrats argued that overt military aid to the Contras is a policy that is a first step toward war—a war in which the U.S. would not be a spectator and would no longer be a covert manipulator.

Democrats also argued that there are alternatives to the policy of funding the Contras—that diplomatic solutions to the region's problems have never been pursued in good faith by the Reagan Administration. Democrats pointed out that what is needed is bilateral negotiations with the Sandinistas to settle concerns over security issues. Over 80 percent of Republicans who voted supported the motion to table. It prevailed, and the Sasser amendment was thereby defeated.

5) Lugar motion to table the Kennedy amendment (to the Military Construction appropriations/Contra Aid bill) to prohibit the introduction of members of the U.S. Armed Forces or any other U.S. government employee into Nicaragua to engage in ground combat unless: (1) Congress has declared war or passed a joint resolution authorizing the introduction of such forces, in advance; or (2) the President has determined that U.S. forces are necessary to protect American lives, evacuate U.S. citizens, or respond to a clear and present danger of military attack on the United States. (Vote No. 212—99th Congress, 2nd Session)

72% of Democrats voting opposed the motion.

89% of Republicans voting supported the motion.

The amendment was tabled, 60-40.

August 12, 1986.

Democrats argued that since overt military aid to the Contras significantly increased the risk that U.S. personnel would be drawn into the conflict, this amendment sought to prevent an unfortunate military involvement by clarifying the authority of the President to engage American personnel in ground combat in Nicaragua. Nearly solid Republican opposition led to defeating the amendment on a motion to table.

6) Lugar motion to table the Byrd amendment (to the Military Construction appropriations/Contra Aid bill) which restricted assistance for the Contras to only those funds authorized in the Military Construction bill or by subsequent law. The Byrd amendment would have prohibited the use of the CIA Contingency Reserve Fund and would have prohibited any grant, loan, sale, lease, credit, guaranty, insurance, or properly chargeable service to the Contras beyond the $100 million authorized. The Byrd amendment did not prevent the collection, analysis, or production of intelligence information or the conduct of diplomatic activities. (Vote No. 213—99th Congress, 2nd Session)

91% of Democrats voting opposed the motion.

89% of Republicans voting supported the motion.

The amendment was tabled, 51-47.

August 12, 1986.

Saying that it was necessary to limit the total amount of aid to the Contras to the amount publicly requested by the President and to the amount approved by the Congress, Democrats sought with this amendment to prevent "back door" funding of the Contras by the Central Intelligence Agency or other sources that reports suggested could total as much as $400 million. The amendment was crafted so as to prevent not only use of the CIA Contingency Fund but also any loan of equipment to the Contras to which the Administration would retain legal title but which would not be charged to the $100 million amount Congress was being asked to approve.

7) Lugar motion to table the Dodd amendment (to the Military Construction appropriations/Contra Aid bill) which prohibited the use of funds to support military actions in, over, or offshore from Nicaragua which are directed against civilians or are likely to result in the loss of civilian lives. The Dodd amendment required the GAO to monitor carefully this funding prohibition and report quarterly to Congress. (Vote No. 214—99th Congress, 2nd Session)

84% of Democrats voting opposed the motion to table.

83% of Republicans voting supported the motion.

The amendment was tabled, 51-47.

August 12, 1986.

Proponents of the amendment cited allegations that the Contras fighting the government of Nicaragua have engaged in terrorist activities against the innocent civilian population of that country, and that the Congress should be certain that U.S. funds are not used to aid such activities. The great majority of Republicans disagreed, and the amendment was tabled.

8) Lugar motion to table the Melcher, et al. amendment (to the Military Construction appropriations/Contra Aid bill) which eliminates the authority to transfer 1986 Agriculture Appropriations funds and African Famine Relief funds to provide the $300 milion in additional economic assistance for the four Central American countries of Costa Rica, El Salvador, Guatemala, and Honduras. The Melcher amendment required that any additional aid to Central America must be transferred out of existing foreign assistance appropriations, thus retaining the $300 million appropriation for African famine relief. (Vote No. 217—99th Congress, 2nd Session)

91% of Democrats voting opposed the motion.

59% of Republicans voting supported the motion.

The amendment was tabled, 51-49.

August 13, 1986.

Democrats argued that if the Administration wanted to provide additional economic assistance to Central America, that aid should come out of existing foreign assistance appropriations—that the

African famine relief fund should not be artificially inflated just for the purpose of providing a source for more aid to Central America. Moreover, a number of Democrats believed that the $300 million was an unjustifiably large amount of additional economic assistance.

9) Mattingly motion to table the Leahy amendment (to the Military Construction appropriations/Contra aid bill) to prohibit the CIA or any other U.S. intelligence agency or entity from assisting the Contras. This amendment did not preclude normal intelligence gathering activities in Central America. (Vote No. 221—99th Congress, 2nd Session)

70% of Democrats voting opposed the motion to table.

83% of Republicans voting supported it.

The amendment was tabled, 57-42.

August 13, 1986.

As Senator Leahy said, "My amendment is intended to get the Central Intelligence Agency out of a program...where there is no intrinsic need for the CIA to be involved." (Record, 8/13/86, p. S-11498) Over four-fifths of Republicans opposed this restriction, and the amendment was tabled.

10) Lugar motion to table the Biden-Byrd-Sasser amendment (to the Military Construction appropriations/Contra aid bill) which prohibited the expenditure of $100 million in Contra aid until the U.S. had proposed to Nicaragua that the two countries enter into direct bilateral negotiations. The amendment stipulated that the bilateral negotiations would be aimed at: (a) the successful conclusion of a security agreement involving the removal of Soviet and Cuban advisers, barring the establishment of a Soviet base in Nicaragua, reducing Sandinista arms levels and preventing Sandinista acquisition of advanced weaponry; and (b) the successful conclusion of the Contadora process leading to a regional peace treaty. (Vote No. 222—99th Congress, 2nd Session)

77% of Democrats voting opposed the motion.

83% of Republicans voting supported the motion.

The amendment was tabled, 54-45.

August 13, 1986.

The chief sponsor of this amendment, Senator Biden, argued that diplomacy, not war, should be the foundation of American policy toward Nicaragua. Moreover, as Senator Biden said: "Bilateral negotiations would put both the Sandinistas and the Administration to the test. The Sandinistas have repeatedly said that they are willing to enter into such negotiations. By refusing to do so, we let them capture the moral high ground. We also appear to be creating a major obstacle in the path of progress on the diplomatic front." (Record, 8/13/86, p. S-11509)

11) Lugar motion to table the Byrd amendment (to the Military Construction appropriations/Contra aid bill) which earmarked $450,000 of the $100 million in Contra aid for maintaining the staff of the Nicaraguan newspaper, La Prensa, during the period that the Nicaraguan government does not permit the newspaper to publish. The Byrd amendment provided that funding would terminate if the paper resumed publication, or at the end of two years. It also required the Secretary of State to submit a classified report to Congress, 30 days after enactment, describing the mechanism by which the aid would be delivered. (Vote No. 223—99th Congress, 2nd Session)

85% of Democrats voting opposed the motion.

94% of Republicans voting supported the motion.

The amendment was tabled, 57-43.

August 13, 1986.

Democrats argued that this was a vote for freedom of the press. As Senator Byrd said: "We are spending $100 million in Nicaragua if this bill passes....Seventy million dollars of that is in military aid—the sword, $70 million for the sword. We are talking in my amendment about $450,000 for the pen. We have heard from olden times that the pen is mightier than the sword. The American people would much prefer to spend $450,000 for the pen than $70 million for the sword...." (Record, 8/13/86, p. S-11520)

12) Kerry amendment (to the Military Construction appropriations/Contra aid bill) which provided that aid to the Contras would cease if Nicaragua and its neighbors signed a Contadora agreement. The Kerry amendment stipulated that the Contadora agreement had to provide for democratic pluralism, national reconciliation, an arms import freeze, withdrawal of Soviet bloc advisers, termination of support for Salvadoran guerrillas, a prohibition on foreign military bases, and the establishment of a verification and control commission with full on-site inspection powers. (Vote No. 224—99th Congress, 2nd Session)

85% of Democrats voting supported the amendment.

89% of Republicans voting opposed the amendment.

The amendment was rejected, 46-54.

August 13, 1986.

Since the U.S. says it supports the Contadora process, Democrats sought to send a clear signal to the Central American countries that funding for the Contras would terminate when a verifiable and workable Contadora agreement was signed, but 89 percent of the Republicans who voted on the amendment voted against it, and it failed.

13) Lugar motion to table the Simon amendment (to the Military Construction appropriations/Contra aid bill) which required tighter accountability procedures for Contra aid. The Simon amendment required the President to report to the General

Accounting Office, every 30 days, a full accounting of the uses of all goods and services purchased with the Contra aid appropriations, both within and outside the United States and required the GAO to submit this presidential report to Congress within 15 days of its receipt, together with its own analysis of the data. (Vote No. 225—99th Congress, 2nd Session)

85% of Democrats voting opposed the motion.

94% of Republicans voting supported the motion.

The amendment was tabled, 57-43.

August 13, 1986.

Democrats argued that of the $27 million in humanitarian aid to the Contras that Congress appropriated in the summer of 1985, the GAO had reported that it could not account for approximately $15 million. Moreover, they argued, it appeared that much of what could be accounted for had been misused. It was merely common sense, therefore, that tighter accountability procedures should be instituted to ensure that the $100 million appropriated by this bill would be used appropriately and as Congress had intended. Republicans disagreed and succeeded in tabling the Simon amendment.

14) Lugar motion to table the Simon amendment (to the Military Construction appropriations/Contra aid bill) which transferred $50 million from Title III to the International Fund for Agricultural Development (IFAD) and earmarked $25 million each for a) the U.S. contribution to the special program for sub-Saharan African countries affected by drought and for b) locust eradication and other projects for poor farmers in Africa. (Vote No. 226—99th Congress, 2nd Session)

70% of Democrats voting opposed the motion.

94% of Republicans voting supported the motion.

The amendment was tabled, 64-36.

August 13, 1986.

Democrats argued that a better use for much of the Contra aid would be support for programs for African farmers and victims of famine and drought.

15) Lugar motion to table the Harkin amendment (to the Military Construction appropriations/Contra aid bill) which transferred $50 million of the contra aid funds for use in disaster relief for U.S. farmers and ranchers suffering from drought, excessive heat, or floods and limits assistance to $5,000 per producer. (Vote No. 227—99th Congress, 2nd Session)

74% of Democrats voting opposed the motion.

87% of Republicans voting supported the motion.

The amendment was tabled, 58-41.

August 13, 1986.

The Harkin amendment attempted to use some of the funding for the Contras contained in the bill to benefit hardpressed U.S. farmers and ranchers who had been damaged by the serious 1986 drought. The amendment's proponents argued that it was much more beneficial to spend $50 million on U.S. farmers and ranchers than on the Contras in Honduras.

16) Lugar motion to table the Byrd amendment (to the Military Construction appropriations/Contra aid bill) which limits Contra aid to that amount specifically provided in this Act; specifies that such "assistance" include any grant, sale, lease, bailment, credit, guaranty, insurance, or properly chargeable service; and prohibits the use of funds from the reserve fund for contingencies of the CIA to support any operations in Nicaragua by any nation, group, or individual unless these activities have been authorized by Congress. (Vote No. 228—99th Congress, 2nd Session)

89% of Democrats voting opposed the motion.

89% of Republicans voting supported the motion.

The amendment was tabled, 52-48.

August 13, 1986.

The Byrd amendment was a virtual duplicate of the earlier Byrd amendment (Vote No. 222), except that to counter Republican arguments that any amendment to Title II was an indirect attempt to "kill" Contra aid (by forcing a conference with the House on the differing Contra provisions), this second Byrd amendment was proposed to be added to the end of the bill. It contained exactly the same restrictions as had the earlier amendment.

Democrats maintained that this amendment sought to limit aid to the Contras to what the President had requested publicly and to what Congress appropriated. They argued again that it was imperative that the Administration not be given *carte blanche* to escalate the war in Central America by providing additional unappropriated aid to the Contras that reliable sources had reported could reach as high as $400 million.

In offering the amendment, Senator Byrd commented: "...Senators, elected by the people who have the right to know, [if this amendment is passed] will have the opportunity to debate and vote on any additional assistance to the Contras, to ensure that nothing comes in through the back door, nothing comes in under the table, and that we will not, indeed, finance a secret war in Nicaragua." (Record, 8/13/86, p. S-11538)

17) Titles II and III, en bloc, of the Military Construction appropriations/Contra Aid bill which provide $100 million in military assistance and humanitarian aid to the Nicaraguan Contras and $300 million in economic aid to Costa Rica, El Salvador, Guatemala, and Honduras. (Vote No. 229—99th Congress, 2nd Session)

77% of Democrats voting opposed the amendment.

79% of Republicans voting supported the amendment.

The amendment was agreed to, 53-47.

August 13, 1986.

18) Passage of the Military Construction appropriations/Contra Aid bill which appropriates funds for military construction for the Department of Defense for FY 1987; provides $100 million, by transfer of already appropriated FY 1986 DOD funds, to aid the Nicaragua democratic resistance (Contras) of which $30 million is for humanitarian aid and $70 million is for military assistance; fences $60 million of the $100 million in Contra aid and provides that the funds would be released in two installments subject to certain specified presidential certifications; and provides an additional $300 million in economic aid to Costa Rica, El Salvador, Guatemala, and Honduras. (Vote No. 230—99th Congress, 2nd Session)

72% of Democrats voting opposed the motion.

87% of Republicans voting supported the motion.

The bill was passed, 59-41.

August 13, 1986.

In Votes No. 229 and 230, on passage of Titles II and III (the contra aid provisions) of the Military Construction Appropriations bill and final passage of the bill itself, 77 percent of Democrats voted against Titles II and III and 72 percent voted against final passage of the bill, because of dissatisfaction with the outcome of the earlier Contra votes, but both votes were successful, largely on the strength of Republican support.

19) Joint resolution requiring the President to report to Congress, by February 1, 1987, on the possible involvement of U.S. government personnel in the provision of military support by American citizens to the Nicaraguan Democratic Resistance (Contras). (Vote No. 349—99th Congress, 2nd Session)

87% of Democrats voting supported the resolution.

86% of Republicans voting opposed the resolution.

The joint resolution was defeated, 47-50.

October 16, 1986

This resolution was introduced in response to the downing of an airplane over Nicaragua on October 5, 1986, the death of three crew members (two of whom were identified as American citizens), and the capture of a third American by the Sandinista government. Democrats argued that serious

questions had been raised by the incident about possible violations of the Neutrality Act, the Arms Export Control Act, and other acts that regulate the activities of American citizens in or against countries with which we have recognized relations. Moreover, Democrats argued, allegations that certain individuals within the Administration may have violated these laws made it necessary for the Administration to disclose what contact, advice, and logistical support U.S. government personnel have had with Americans aiding the Contras. Such disclosure would be important so that Congress could evaluate whether any laws were broken.

Republicans, arguing that current congressional oversight of the matter was adequate and that, in the words of the Republican Majority Leader, the joint resolution was "mischievous" (Record, S-16623, October 16, 1986), voted strongly to oppose the resolution, and it was defeated.

South Africa

In September 1985, congressional pressure forced the Administration to take the first tentative steps in the direction of sanctions against the government of South Africa, thereby clearly expressing American revulsion at the system of apartheid. In response to this pressure, the President signed an Executive Order which included elements of sanctions legislation then before Congress.

The following year, the situation in South Africa had decayed further as a second state of emergency was imposed, widespread crack-downs on the press were instituted, and the level of violence had increased. The European Community and the Commonwealth nations were considering a host of sanctions, but the President let it be known that he opposed any additional sanctions aimed at urging peaceful change in South Africa. In this environment, Senate Republicans joined the Administration in delaying action on South Africa, holding action on that issue hostage to votes on aid to the Contras in Nicaragua.

After extensive negotiations and increasing pressure by Senate Democrats, the Republican leadership agreed to take up the issue of sanctions against South Africa. The votes on this issue frequently broke along party lines, with several efforts by Republicans to frustrate the adoption of meaningful economic sanctions in concert with our allies.

20) Lugar motion to table the Kennedy-Weicker-Cranston amendment (to the South Africa Anti-Apartheid Act) which closes loopholes with respect to the prohibition on loans and new investments by including within those prohibitions: (1) short-term trade financing, letters of credit, sales on open accounts, and rescheduling of existing loans, and (2) the reinvestment of profits generated by a South African entity back into that entity, and the contribution of money or assets to keep a controlled entity operating in an "economically sound manner;" prohibits importation into the United States of South African agriculture products and food, iron, and steel; prohibits the export to South Africa of crude oil and petroleum products which are subject to U.S. jurisdiction; and amends the definition of "parastatal organization" to include those subsidized by the South African government, rather than only those owned or operated by the government. (Vote No. 234—99th Congress, 2nd Session)

89% of Democrats voting opposed the motion.

88% of Republicans voting supported the motion.

The amendment was tabled, 51-48.

August 14, 1986.

The Kennedy-Weicker-Cranston proposal offered a comprehensive scheme of additional sanctions which would have greatly strengthened the sanctions legislation—and which mirrored those recommended by the European Community and British Commonwealth groups. While this amendment was defeated when 88 percent of voting Republicans opposed it, several of its key provisions were contained in an amendment offered successfully later in the debate on the South Africa bill. (See item No. 6 below, Vote No. 240.)

21) Lugar motion to table the Proxmire-Cranston modified amendment (to the South Africa Anti-Apartheid Act) to require an affirmative vote by both Houses of Congress within 30 days of a Presidential decision to terminate, modify, or suspend the sanctions against South Africa. (Vote No. 236—99th Congress, 2nd Session)

96% of Democrats voting opposed the motion.

96% of Republicans voting supported the motion.

The amendment was tabled, 51-46.

August 14, 1986.

In response to the continuing resistance by the Administration to any meaningful sanctions, the Proxmire-Cranston amendment would have required an affirmative vote of both Houses if the President decided to terminate, modify, or suspend sanctions against South Africa. This effort to make it more difficult for a reticent President to do away with sanctions was defeated when 96 percent of voting Republicans voted in favor of the Lugar motion to table it.

22) Lugar motion to table the Sarbanes-Kassebaum amendment (to the South Africa Anti-Apartheid Act) which mandates the President, within 10 days of enactment, to direct the Secretary of Transportation to suspend air service between the U.S. and South Africa, thereby terminating the 1947 air services agreement between the U.S. and South Africa. (Vote No. 237—99th Congress, 2nd Session)

100% of Democrats voting opposed the motion.

81% of Republicans voting supported the motion.

The amendment was agreed to by voice vote after the motion to table failed, 42-56.

August 14, 1986.

Suspension of air service was one of the more significant symbolic sanctions contained in the legislation, but the bill provided that the suspension would not occur until one year after notice was given to South Africa under an existing agreement on air services. The Sarbanes amendment provided that air service with South Africa would be halted ten days after enactment of the bill. A small but sufficient number of Republicans joined every voting Democrat in supporting this amendment, and prevented passage of a Republican motion to table it. The bill thus was strengthened in this manner.

23) Lugar motion to table the Biden amendment (to the South African Anti-Apartheid Act) which imposes prohibitions on imports of South African iron and steel, food, agricultural products, diamonds, and other sanctions automatically if the President reports to Congress that South Africa has not made significant progress toward ending apartheid 12 months after enactment. (Vote No. 238—99th Congress, 2nd Session)

85% of Democrats voting opposed the motion.

92% of Republicans voting supported the motion.

The amendment was tabled, 55-44.

August 15, 1986.

The Biden Amendment recognized that the Administration has opposed sanctions, and therefore established a timetable for measuring progress in South Africa and requiring additional sanctions automatically if major steps were not taken within the next year to end apartheid. The Biden amendment would have made the threat of future sanctions more credible and thereby encouraged peaceful change there, but opposition from over 90 percent of voting Republicans assured its defeat.

24) Wallop, et al, amendment (to the South African Anti-Apartheid Act) to apply the sanctions against South Africa to the Soviet Union. (Vote No. 239—99th Congress, 2nd Session)

85% of Democrats voting opposed the amendment.

67% of Republicans voting supported the amendment.

The amendment was rejected, 41-57.

August 15, 1986.

The Wallop amendment represented an attempt to politicize the issue of sanctions against South Africa and to undercut the effort to promote peaceful change in that country by confusing the issue of sanctions against South Africa with actions against the Soviet Union. Most Senate Democrats demonstrated their opposition to this effort by voting against the Wallop amendment—joined by the Republican Chairman of the Foreign Relations Committee and enough other Republicans to defeat the amendment.

25) Lugar motion to table the Kennedy-Weicker-Cranston-Byrd amendment (to the South African Anti-Apartheid Act) which prohibits the importation by the U.S. of iron, steel, food, and agricultural products; prohibits the export to South Africa of crude oil and petroleum products subject to U.S. jurisdiction, amends the definition of "parastatal organizations" and otherwise imposes restrictions on commercial activity with South Africa to include those subsidized by the South African government, rather than only those owned or operated by the government. (Vote No. 240—99th Congress, 2nd Session)

94% of Democrats voting opposed the motion.

79% of Republicans voting supported the motion.

The amendment was agreed to by voice vote after the motion to table failed, 44-55.

August 15, 1986

In a major rebuff to the Administration's policy of indifference and inaction, Senator Kennedy and the other cosponsors succeeded in winning adoption of this amendment, a slightly scaled-back version of an amendment covering these and other items which was tabled 51-48 when they offered it earlier in the debate (see item No. 1 above, Vote No. 234). With the adoption of this amendment, the underlying legislation was rewritten to include broad new restrictions on commercial activity with South Africa. The amendment incorporated the major elements of sanctions recommended by the Commonwealth and European Communities, thus encouraging consistency with the policies of our major allies and making it more likely that the sanctions legislation would succeed in catalyzing necessary changes in South Africa.

26) Lugar motion to table the D'Amato-Moynihan, et al, amendment (to the South African Anti-Apartheid Act) to permit States and their political subdivisions to enforce State anti-apartheid laws with respect to contracts funded in whole or in part by Federal funds. (Vote No. 241—99th Congress, 2nd Session)

68% of Democrats voting opposed the motion.

94% of Republicans voting supported the motion.

The amendment was tabled, 64-35.

August 15, 1986.

The D'Amato-Moynihan amendment sought to allow State and local governments to enforce their own anti-apartheid laws with respect to contracts funded in whole or part by Federal funds, without running afoul of Federal regulations that require a least-cost contract. The amendment was tabled, despite a provision that any increase in cost as a result would be the responsibility of local governments.

27) Byrd-Simon amendment (to the South African Anti-Apartheid Act) which states that a main purpose of this Act is to encourage the establishment of political and social stability in South Africa with a nondiscriminatory democratic form of government in order to prevent the anger of South African victims of discrimination and government abuse from becoming a fertile bed for the spread of Communism and so that South Africa will be able to resist Soviet-Marxist expansionism; forbids the importation from South Africa of uranium ore/oxide, coal, textiles, or fluorspar; and establishes two Assistant Secretaries of State for Africa (one each for west-central Africa and south-east Africa, in place of the one Assistant Secretary now within the Department of State who is responsible for African affairs). (Vote No. 242—99th Congress, 2nd Session)

94% of Democrats voting supported the amendment

98% of Republicans voting opposed the amendment.

The amendment was rejected, 45-54.

August 15, 1986.

The Byrd-Simon amendment would have provided a clear statement of Democratic opposition to communist expansion in Southern Africa, and recognized that stability in that region is in the interest of American security goals. It also would have divided the State Department's Bureau of African Affairs to encourage greater attention to that important continent after years of neglect by the Administration. Further, it also would have added fluorspar—a critical material for which there are alternative sources—to the list of import prohibitions. Republicans, 98 percent of whom voted against the amendment, thereby voted against the need for a statement opposing Communist adventurism in the region as well as against the other two components of the amendment.

28) Nickles, et al, amendment (to the South African Anti-Apartheid Act) permitting the Secretary of Agriculture to allow South Africa to participate in agricultural export credit and promotion programs to the same extent as other traditional customers, thereby reversing the existing presidential order against loans. (Vote No. 246—99th Congress, 2nd Session)

77% of Democrats voting opposed the amendment.

85% of Republicans voting supported the amendment.

The amendment was agreed to, 55-44,

August 15, 1986.

29) Motion to table the motion to reconsider the vote on the Nickles amendment (to the South African Anti-Apartheid Act). (Vote No. 247—99th Congress, 2nd Session)

89% of the Democrats voting opposed the motion.

87% of the Republicans voting supported the motion.

The motion to table the motion to reconsider was agreed to, 50-49.

August 15, 1986.

Reversing President Reagan's Executive Order against loans and contradicting other provisions in the bill, the Nickles amendment provided for the use of American export promotion subsidies to encourage agricultural exports to South Africa. On the same day the Senate voted sanctions against the South African government, Republican support for the Nickles amendment provided subsidies to that government.

Following the passage of the Nickles amendment, Senate Democrats called for a vote on the motion to table the motion to reconsider the vote on the Nickles amendment, effectively urging another vote on the Nickles amendment, but that effort fell one vote short.

30) Dole motion to table the Dole (for McConnell) amendment to strike uranium ore and uranium oxide from the list of banned South African imports. (Vote No. 251—99th Congress, 2nd Session)

85% of the Democrats voting supported the motion.

66% of the Republicans voting opposed the motion.

The amendment was tabled, 56-40.

August 15, 1986.

The McConnell amendment, offered on his behalf by Majority Leader Dole, sought to weaken the bill by removing one of the sanctions it contained: the ban on importation from South Africa of uranium ore and uranium oxide. Democrats responded that uranium reserves in the U.S. and other nations were more than adequate to offset the reduction in supply caused by the ban, and that reducing the sanctions in the bill on a piecemeal basis would destroy the effort to send a credible, firm signal of U.S. policy to the South African government. Although opposed by two-thirds of voting Republicans, Democrats with some Republican assistance succeeded in prevailing on a motion by Senator Dodd to table the amendment.

The Philippines

Several months before the February 7, 1986, election in the Philippines, the Senate adopted a resolution urging political reforms in the country and that any elections conducted there be free and fair. Senators from both parties took part in the official U.S. Election Observer Group which reported widespread election fraud and violence by the Marcos regime. But while the Executive Branch was sending muddled signals to the Philippine people that there had been election fraud on both sides, Senate Democrats took the lead in passing a resolution (S. Res. 345) on February 19, 1986, which declared that the widespread election fraud had denied the Marcos government a popular mandate. The resolution's strong language helped galvanize the democratic forces to take a stand against the country's dictatorship and helped Corazon Aquino assume power as the new President on February 25 in a peaceful way.

On June 25, 1986, Secretary of State Shultz released $200 million in previously appropriated U.S. aid to the new Aquino government. On July 2, 1986, the Congress gave final approval to $150 million in additional aid to the Philippines (H.R. 4515, Urgent Supplemental Appropriations, 1986), of which $100 million was Economic Support Funds and $50 million was grant military assistance (MAP).

In the wake of Mrs. Aquino's powerful address to a joint session of Congress on September 18, 1986, the House voted an additional $200 million in aid to the Philippines. The Senate then took up the issue on the Continuing Resolution.

31) Byrd, et al, modified amendment to the Continuing Resolution, 1987 (H.J. Res. 738), which earmarked $200 million of Economic Support Fund (ESF) appropriations for aid to the Philippines and prohibited the use of already earmarked funds for Israeli or Egyptian assistance to provide for this additional aid to the Philippines. (Vote No. 301—99th Congress, 2nd Session)

89% of Democrats voting supported the amendment.

92% of Republicans voting opposed the amendment.

The amendment was rejected, 43-51.

September 29, 1986.

Democrats argued that it was important to send the right signal of support to the new democratic government of the Philippines in the wake of President Aquino's visit earlier that month. For the Senate to reject additional aid to the Philippines, after the House had passed a resolution providing $200 million of additional assistance, would be penny wise and pound foolish. Republicans argued that foreign aid had already been cut so much that there was no money left for additional aid to the Philippines.

32) Dole motion to table the Byrd amendment to the Continuing Resolution, 1987 (H.J. Res. 738), which would have transferred $200 million from the $300 million set aside for additional economic assistance to the Central American democracies by section 205 of H.R. 5052 (from the African famine relief, P.L. 480, and ESF accounts) for additional aid to the Philippines. (Vote No. 309—99th Congress, 2nd Session)

76% of Democrats voting opposed the motion to table.

88% of Republicans voting supported the motion to table.

The amendment was tabled, 57-41.

October 2, 1986.

Democrats argued that if the money was not available for additional assistance to the Philippines in the regular foreign aid process, then it could be taken from the $300 million in additional economic assistance to the Central American democracies which the House had tacked on to the contra aid bill as a "sweetener" to get votes for contra aid. Democrats argued that that pool of money had not been requested by the Administration and that it was a slush fund for a region of the world already awash in an enormous amount of U.S. foreign aid. As Senator Byrd, the sponsor of the amendment, said: "I am simply suggesting that we transfer this needed money from other uses which have a lower priority." (Record, S-14596, October 2, 1986)

Republicans argued that taking $200 million from the $300 million economic assistance to the Central American democracies was an attempt to kill aid to the Contras, and they succeeded in defeating the amendment.

After all the heated debate on the Senate floor and three attempts to find a satisfactory formula for providing an additional $200 million for the Philippines, conferees for the Continuing Resolution agreed to revert to Senator Byrd's original formula for the aid and stipulated that an additional $200 million should come from Economic Support Funds for FY 1987.

Miscellaneous Foreign Policy Issues

33) Helms amendment which requires the Director of Central Intelligence to report by March 1, 1987, to the Senate and House Intelligence Committees on whether, and to what extent, the defense forces of Panama have violated the human rights of the people of Panama; are involved in drug trafficking, arms trafficking, or money laundering; or were involved in the death of Dr. Hugo Spadafora. (Vote No. 289—99th Congress, 2nd Session)

72% of Democrats voting opposed the amendment.

77% of Republicans voting supported the amendment.

The amendment was agreed to, 53-46.

September 24, 1986.

The Helms amendment to require the Director of the CIA to report on involvement of Panamanian defense forces in human rights abuses and drug trafficking was a blatant attempt to politicize an important problem. It was opposed by both the Republican Chairman and the Democratic Vice Chairman of the Intelligence Committee as an unnecessary duplication of existing law, and a possible compromise of intelligence sources and methods. Similar reporting requirements already exist and such reports are made regularly by the President.

In this instance, Senator Helms sought to equate support for his amendment with a strong stand against drugs and human rights abuses. However, the Helms amendment would have required diversion of scarce intelligence assets in a critical region, requiring the intelligence community to engage in investigations already undertaken by other agencies. The intelligence community itself said that the Helms amendment was unnecessary and duplicated existing law. Moreover, by breaking with Senate tradition and offering amendments to the intelligence authorization in open session on the Senate floor, Senator Helms' action was described by the Chairman of the Intelligence Committee as creating a precedent that was "nearly disasterous in the oversight process." Nonetheless, with 77 percent of Republicans supporting the amendment, it passed the Senate despite strong Democratic opposition.

34) Kasten-Inouye motion to table the Bingaman, et al, amendment to the Continuing Resolution, 1987 (H.J. Res. 738), which would have deleted from the foreign aid appropriations section of the bill the Administration's authority to convert $3.5 billion in 1985 and 1986 undistributed foreign military sales loans into grants, provided that both Appropriations Committees are given 15 days' notice. (Countries which could benefit from this provision include: Greece, Turkey, Spain, Thailand, Jordan, South Korea, Pakistan, Portugal, Tunisia, Oman, the Philippines, Indonesia, Morocco, Peru, Malaysia, Botswana, Ecuador, El Salvador, and the Dominican Republic.) (Vote No. 310—99th Congress, 2nd Session)

83% of Democrats voting opposed the motion to table.

92% of Republicans voting supported the motion to table.

The amendment was tabled 55-43.

October 2, 1986.

Democrats argued that in an era of budgetary austerity, the U.S. should not forgive $3.5 billion in loans. Republicans argued that the Administration needed flexibility in the foreign aid process to help offset Gramm-Rudman reductions, and this position, favored by 92 percent of Republicans, prevailed as the stripping amendment was tabled.

HUMAN SERVICES

Child Health

Introduction

During the second session of the 99th Congress, Democrats pursued funding increases for four child health programs: the Supplemental Food Program for Women, Infants, and Children (WIC), the Maternal and Child Health Block Grant Program, the Childhood Immunization Program, and the Community Health Centers Program. These efforts reflected the Democrats' commitment to increasing participation of eligible persons in those social programs that constitute investments in the Nation's future. The four child health programs are preventive in thrust, and have been both proven effective for the health of our children and cost effective. It has been demonstrated that each of these programs results in future cost-savings that are at least three to ten times greater than their costs. Yet, participation has declined since 1981 due to funding cuts and freezes.

Senate Democrats' efforts to increase funding for these programs focused on the First Concurrent Resolution on the Budget for FY 1987. The Senate Budget Committee, in a bipartisan compromise, recommended increased funding in that budget for all four child health programs. However, even with these increases, the programs remained below their FY 1981 funding levels in real terms.

The Record

1) Domenici motion to table the Metzenbaum-Sarbanes-Bumpers amendment (to the First Budget Resolution, FY 1987) which provides a total increase of $200 million over 3 years in Health Function 550 to be used as follows: $75 million each for Women, Infants, and Children (WIC) feeding and Maternal and Child Health, and $25 million each for child immunization and community health centers; and offsets this additional funding by an equivalent increase in general revenues. (Vote No. 79—99th Congress, 2nd Session)

   72% of Democrats voting opposed the motion.

   88% of Republicans voting supported the motion.

   The amendment was tabled, 56-40.

   April 24, 1986.

This Metzenbaum-Sarbanes-Bumpers amendment was the Democrats' major initiative for increased child health funding. The amendment provided an additional $200 milliion for the programs over the 3-year period (FY 1987-89) and would bring funding of the four programs back to 1981 levels in real terms. This increase would be offset by an equivalent increase in general revenues. With strong Republican support, the Senate agreed to Senator Domenici's motion to table the amendment.

2) Lugar motion to table the Bumpers amendment (to the First Budget Resolution, FY 1987) which increases the Health Function 550 by $25 million for childhood immunization for FY 1987 and offsets this increase by an equivalent reduction in the International Affairs Function 150 which would amount to an 0.14 percent reduction in budget authority for International Affairs. (Vote No. 80—99th Congress, 2nd Session)

89% of Democrats voting opposed the motion.

90% of Republicans voting supported the motion.

The amendment was tabled, 49-46.

April 24, 1986.

Despite the small cost of the proposal, Republicans argued against the Bumpers amendment strongly, claiming that the foreign assistance budget, with a proposed funding level of $8.3 billion, would be damaged by the Bumpers amendment. They succeeded in tabling the amendment

---

Nutrition

Introduction

Participation in Federal nutrition programs has declined sharply during the Reagan Administration, and the number of hungry Americans has increased dramatically. Public attention was riveted on this fact when a child innocently asked the President about hunger in America, and the President observed that those who go without food do so simply because they are unaware of available help. During the past five years, Senate Democrats repeatedly have sought to limit budget cuts and restore funding for nutrition programs.

3) Kennedy question of germaneness of the Kennedy-Kerry amendment (to the Supplemental Appropriations bill) to transfer $62 million of unobligated funds from

DOD appropriations for SDI research and development to nutrition programs serving the elderly under the Older Americans and Community Service Block Grants Acts. The question is: "Is it the judgment of the Senate that the amendment is germane to the Supplemental Appropriations bill?" (Vote No. 122—99th Congress, 2nd Session)

88% of Democrats voting voted that the amendment was germane.

86% of Republicans voting voted that the amendment was nongermane.

The amendment was declared nongermane, 45-47.

June 6, 1986.

The Kennedy-Kerry amendment provided an additional $62 million for three nutrition programs: the Elderly Congregate Meals Program, the Home-Delivered Meals ("Meals on Wheels") Program, and the Community Food and Nutrition Program. These additional funds would be made available by transferring from the Department of Defense funds earmarked for use in SDI nuclear research conducted by the Department of Energy. (DOD had previously indicated these funds were not needed.) Thus, funding for nutrition programs would be increased without any net additional cost to the Federal treasury.

With 86 percent of voting Republicans voting that it was nongermane and therefore should not be considered by the Senate, the Senate declared the Kennedy-Kerry amendment nongermane by a vote of 45-47.

JUDICIAL NOMINATIONS

Introduction

Democats continued to scrutinize carefully the Reagan nominations for Federal judgeships. The votes make clear that Democratic efforts to defeat Administration nominees were based on poor qualifications for the position; not on ideological views. While confirming many conservative nominees for judicial positions, three candidates were singled out by Democrats in the second session as being particularly unsuitable choices for positions which are lifelong in tenure and directly affect the future of untold numbers of our citizens.

Democrats were able to defeat one such nominee, a candidate for a Federal District Court judgeship, Jefferson Sessions, when it was considered by the Judiciary Committee, by defeating the motion to report the nomination from the committee on a 9-9 tie vote. Principal criticisms leveled against the Sessions nomination were that there was evidence of his continued insensitivity to blacks, and of a lack of candor in his statements to the Committee. On the key vote, a motion to report the nomination without recommendation, all Committee Democrats voted in opposition, while 9 of the Committee's 10 Republicans voted in favor of the nomination.

Similar efforts were made by Judiciary Committee Democrats to block the nominations of Sydney A. Fitzwater to be U.S. District Judge for the Northern District of Texas, and Daniel A. Manion to be a U.S. Circuit Judge for the 7th Circuit Court of Appeals. Most of the criticism of Manion was based upon his lack of qualifications for the Circuit Court position, while opposition to the Fitzwater nomination was associated with his efforts to block minority voting. The efforts to defeat these nominations failed in Committee, and they were considered by the full Senate as described below.

In the final days of the 99th Congress, President Reagan nominated William Rehnquist to become Chief Justice of the U.S. Supreme Court (replacing Warren Burger who retired). Two-thirds of voting Democrats opposed the nomination, mainly because of either perceptions of Mr. Rehnquist's extreme views or credibility issues that arose during the confirmation hearings. Nonetheless, Mr. Rehnquist's nomination was confirmed by the Senate.

The Record

1) Dole, et al, motion to close further debate on the nomination of Sidney A. Fitzwater to be U.S. District Judge for the Northern District of Texas. (Vote No. 40—99th Congress, 2nd Session)

73% of Democrats voting opposed the motion.

100% of Republicans voting supported the motion.

The motion was agreed to, 64-33, 3/5ths of the elected and sworn Senators having voted in the affirmative.

March 18, 1986.

2) Confirmation of the nomination of Sidney A. Fitzwater, of Texas, to be U.S. District Judge for the Northern District of Texas. (Vote No. 41—99th Congress, 2nd Session)

93% of Democrats voting opposed the nomination.

96% of Republicans voting supported the nomination.

The nomination was confirmed, 52-42.

March 18, 1986.

Democrats, unsuccesfully having opposed his nomination in the Judiciary Committee, sought to defeat on the Senate floor the nomination of Sydney A. Fitzwater to be a U.S. District Judge for the Northern District of Texas. Opposition to Fitzwater was based primarily on his participation in a "Republican Ballot Security Program" in Dallas in 1982, a program which appeared to have been aimed at using scare tactics to keep minority voters from voting. Cloture was invoked (cutting off "extended debate" on the Fitzwater nomination), with 100 percent of the Republicans who voted following their leadership on that vote. Thereafter, 96 percent of the Repubicans voting voted in favor of Fitzwater, and he was confirmed, 52-42.

3) Confirmation of the nomination of Daniel A. Manion, of Indiana, to be U.S. Circuit Judge to the 7th Circuit Court of Appeals. (Vote No. 152—99th Congress, 2nd Session)

93% of Democrats voting opposed the nomination

92% of Republicans voting supported the nomination.

The nomination was confirmed, 48-46.

June 26, 1986.

4) Byrd motion to reconsider Vote No. 152 by which the Senate confirmed the nomination of Daniel A. Manion, of Indiana, to be U.S. Circuit Judge to the 7th Circuit Court of Appeals. (Vote No. 162—99th Congress, 2nd Session)

96% of Democrats voting supported the motion.

90% of Republicans voting opposed the motion.

The motion to reconsider was rejected, 49-49, with the Vice President voting nay to break the tie, thereby confirming the nomination.

July 23, 1986.

After also having opposed this nomination unsuccessfully in the Judiciary Committee, Democrats launched an all out effort on the Senate floor to defeat the nomination of Daniel A. Manion to the 7th Circuit Court of Appeals. Two key votes occurred.

Majority Leader Robert Dole, not certain that he had the votes to confirm Manion, had avoided proceeding to the nomination on the Senate floor. When a vote count indicated the opposition would prevail, Ranking Judiciary Committee Democrat Joe Biden pushed Senator Dole to consider the nomination, but Dole, citing the absence of two Republican Senators, indicated he was not anxious to proceed. Believing that the opponents had several votes to spare, Biden offered to "pair" two supporters with the two Republican absentees, Senators Packwood and Hawkins, both of whom Dole implied would favor the nomination had they been present. (The effect of "pairing" was that the votes of the two "paired" opponents would not be counted, just as the votes of the absent Senators would not be counted.)

Senator Dole accepted this offer. However, as the time for the vote expired, Senator Gorton of Washington, who had previously indicated he would oppose the nomination, voted to support it after having been promised at the last minute by the Reagan Administration that it would nominate a candidate he favored to a Federal judgeship in the State of Washington. Also, Senator Goldwater failed to appear for the vote, and, after having been told that he would have supported the nomination, Senator Kassebaum, who had voted against it, agreed to pair with Senator Goldwater, thereby nullifying her vote. As a result of these last minute actions, it was apparent that the vote would be 47-47, and that Vice President Bush would cast the tie-breaking vote to confirm Manion. At that point, Democratic Leader Robert C. Byrd switched his vote from opposition to support so that, under Senate rules, he would be qualified to move to reconsider the vote at a later time. As a result, the initial vote was 48-46 to confirm Manion with 92 percent of voting Republicans voting in favor. Senator Byrd immediately moved to reconsider the vote.

Subsequently, it became known that Senators Packwood and Goldwater had not given permission to be "paired" as they were, and that neither had firmly decided which way he would have voted.

Majority Leader Dole indicated that he would allow the motion to reconsider the initial vote to be taken up only when he was persuaded the proponents of the nomination would prevail. He moved to the motion to reconsider the nomination one month later.

Democratic Leader Byrd, and other nomination opponents, pointed out in floor statements that the vote on the motion to reconsider likely would be portrayed by some as only a "procedural vote," but that in actuality it would be the most important vote to determine whether Manion would be confirmed or not.

When the vote was taken on the motion to reconsider, Senator Byrd voted to reconsider (and therefore voted against the nomination) as did Senators Kassebaum and Packwood, and the two Democratic Senators (Senators Biden and Inouye) who had "paired" earlier with Senators Hawkins and Packwood. Senator Hawkins voted against the motion to reconsider (and, hence, for the nomination), as did Senator Gorton. Despite his earlier commitment to vote against the nomination, and his "no" vote on the initial confirmation vote, Washington's other Senator, Senator Evans, switched positions to join Senator Gorton in voting for Manion. Senator Goldwater was again absent, due to being hospitalized the night before the vote. His colleague from Arizona, Senator DeConcini, who on the initial vote had opposed Manion's nomination, paired with Goldwater, ar. therefore his vote did not count. All other Senators voted as they had voted in the initial vote. The motion to reconsider was thus rejected on a 49-49 tie. Although it was not necessary for him to do so in order for the Administration's position to prevail, Vice President Bush chose to break the tie by voting against the motion to reconsider. Effective with the defeat of that motion, the earlier vote to confirm Manion prevailed, and he thus was finally confirmed.

5) Confirmation of the nomination of William H. Rehnquist, of Virginia, to be Chief Justice of the United States. (Vote No. 266—99th Congress, 2nd Session)

66% of Democrats voting opposed the nomination.

96% of Republicans voting supported the nomination.

The nomination was confirmed, 65-33.

September 17, 1986.

Two-thirds of the Senate Democrats voting opposed the nomination of William H. Rehnquist to succeed Warren Burger as Chief Justice of the United States. Some Democrats expressed the view that the nominee held views which were too extreme for the position of Chief Justice, and that more of a "centrist" and potential "consensus-builder" was needed for the position. Many Democrats opposed the nomination because of credibility issues which had arisen during the confirmation process. Those issues related to the nominee's testimony concerning:

—an Arizona ballot security program and the question of whether he had intimidated minority voters as part of that program;

—a memorandum he had submitted as a law clerk to Mr. Justice Jackson with respect to school desegregation cases, and the question of whether the memorandum contained his personal views;

—his refusal to disqualify himself from participating in a Supreme Court decision involving the Nixon Administration's military surveillance policy, and the question of whether he had been involved in the development of that policy while he was an officer in that Administration; and

—the conveyance to him of property deeds which contained restrictive convenants and the question of whether he was aware that the deeds contained such restrictions.

Many Democrats believed that the cumulative effect of the several credibility issues which had arisen was such that it could undermine the historic symbolic significance of the position of Chief Justice and that the nominee therefore should not be confirmed for that high office. However, ninety-six percent of the Republicans voting supported the President's choice, and the nominee was confirmed.

LABOR

Introduction

For the past five years, Senate Democrats have been waging a defensive effort to protect the major Federal laws enacted to protect the health, safety, and wage standards of American workers.

A perennial target of Republicans wishing to weaken major Federal worker protection statutes is the Davis-Bacon (prevailing wage) Act. The second session of the 99th Congress was no exception, for, once again, the Davis-Bacon Act came under attack during debate on the Defense Authorization bill. This year, not only did Republicans target the Davis-Bacon Act as it applies to defense projects, but they also attacked the Service Contract Act protections that apply to defense contracts.

Near the conclusion of the 99th Congress, Republicans once again sought to substantially weaken the Davis-Bacon provisions—this time during consideration of the highway bill.

Another longstanding battle during this period has been the effort of Republicans to amend the Federal extortion law as it pertains to violence during labor disputes. Democrats again succeeded in blocking this effort during the second session.

Finally, several attempts were made during the session to deal with one of the consequences of airline deregulation: Democrats sought to preserve collectively bargained labor seniority rights being ignored during airline mergers or acquisitions, but Republican opposition thwarted these efforts.

The Record

1) Dole, et al, motion to close further debate on the Dole motion to proceed to consideration of the bill which nullifies the Supreme Court's decision in *U.S. v. Emmons* so as to make the Hobbs Act apply to violence on a picket line; makes the fact that violence was incidental to picketing, in any situation where this was the case, an absolute bar to prosecution; and adds language specifying that this bill does not intend to have a chilling effect on legitimate labor activity by authorizing Federal prosecution for offenses during a labor dispute which do not involve extortion, nor does it exclude Federal jurisidiction over offenses on the

ground that the conduct is also a violation of State or local law or involves force, violence, or fear of force or violence during the course of a legitimate business or labor dispute. (Vote No. 67—99th Congress, 2nd Session)

83% of Democrats voting opposed the motion.

71% of Republicans voting supported the motion.

The motion was rejected, 44-54, 3/5ths not having voted in the affirmative.

April 16, 1986.

For many years, Republicans have unsuccessfully sought to overturn by statute a 1973 decision of the U.S. Supreme Court which ruled that the Federal extortion law does not apply to violence occuring during a lawful strike. Democrats have long insisted that the 1973 Supreme Court decision was correct, and that any such violence could and should be handled by local and State law enforcement authorities.

Republicans this year tried once again to reverse the Supreme Court ruling. Failing to get their bill reported from the Judiciary Committee, they had an identical measure placed directly on the calendar and tried to have it called up for consideration by the full Senate. Democrats (83 percent) blocked this tactic by refusing to support the Republican leadership's effort to invoke cloture on proceeding to consideration of the bill. Failing on this cloture vote, the Repulicans were forced to abandon their effort to move this legisation this year.

2) Division I of the Kennedy, et al, amendment (to the DOD Authorization bill) to strike sections of the bill that weaken the Service Contract Act (SCA) as it applies to DOD service contracts by: (1) raising the threshold for contracts from $2,500 to $1,000,000; (2) restricting the SCA to contracts wholly related to services; (3) weakening wage protection in successor contracts; and, (4) broadening the definition of "prevailing wage" to allow the Department of Labor to establish the "prevailing wage" rate at the lowest existing level in a locality rather than at the average or mean level. (Vote No. 193—99th Congress, 2nd Session)

100% of Democrats voting supported the amendment.

65% of Republicans voting opposed the amendment.

Division I of the amendment was agreed to, 62-34.

August 8, 1986.

Democratic Senators Kennedy and Metzenbaum led the opposition to the provisions in the FY 1987 Department of Defense authorization bill which would weaken the Service Contract Act and the Davis-Bacon Act. They offered one amendment to strike all such provisions contained in the bill, but opponents of the labor protection laws demanded separate votes and the amendment was divided.

Division I contained the portion of the amendment that struck the bill language amending the Service Contract Act, which was enacted in 1965 to protect the wages and benefits of service employees hired by private contractors who supply services to the Federal government. The Act requires that employees working under service contracts valued at over $2,500 be paid prevailing wages as determined by the Secretary of Labor. The Act also extends to these workers the minimum wage, health, and safety requirements protections of the Fair Labor Standards Act.

The Service Contracts Act works primarily to protect the wages and benefits of low-skilled workers. The Department of Labor data show that because of the nature of service contracts, covered employment under the Act tends to be dominated by low skill, low paying jobs such as janitor, porter, cleaner, housekeeping aid, guard, mess attendant, laborer, and clerk. According to the most recent statistics available from the U.S. Bureau of Labor Statistics, the most common SCA-covered jobs are disproportionately filled by women, blacks, and Hispanics compared to their representation in the employed labor force as a whole.

The debate on the Service Contract Act section centered on the argument by opponents of the Act that it promoted waste, fraud, and abuse in contracts. Supporters of the Act countered that it was ludicrous to talk about waste and abuse when the jobs that are covered pay minimum wage or close to minimum wage.

Division I of the amendment to strike the crippling amendments to the Service Contract Act was agreed to on a vote of 62-34.

3) Division II of the Kennedy, et al, amendment (to the DOD Authorization bill) to strike the section that increases the threshold for coverage of the Davis-Bacon Act from $2,000 to $250,000. (Vote No. 194—99th Congress, 2nd Session)

77% of Democrats voting supported the amendment.

80% of Republicans voting opposed the amendment.

Division II of the amendment was rejected, 44-51.

August 8, 1986.

Division II of the Kennedy amendment, which addressed the Davis-Bacon Act provisions of the bill before the Senate, did not fare as well as Division I. The Davis-Bacon Act, enacted in the 1930's, requires that wages paid to laborers and mechanics with Federal funds be at the prevailing local rates of pay. The Act benefits workers by insuring that Federal funds will not be used to undercut prevailing local wages. The Act benefits contractors by helping to insure that contractors upholding local labor

standards are not placed at a competitive disadvantage. The Act benefits the public by encouraging quality public construction. Despite strong Democratic opposition, the Senate, as it had the previous year, voted to weaken the prevailing wage law as it pertains to defense construction contracts.

4) Symms amendment (to the Federal-Aid Highway Act of 1986) to raise the threshold for the application of Davis-Bacon Act prevailing wage rates to contracts for Federally-assisted highway projects from $2,000 to $250,000. (Vote No. 283—99th Congress, 2nd Session)

78% of Democrats voting opposed the amendment.

78% of Republicans voting supported the amendment.

The amendment was agreed to, 49-46.

September 23, 1986.

The Symms amendment would change the Davis-Bacon protections as they apply to highway projects just as the Senate weakened them as they apply to defense projects. Once again, strong Republican support overcame strong Democratic opposition, and the amendment was agreed to.

5) Danforth-Eagleton motion to waive the Budget Act requirement that amendments to reconciliation bills be germane so that the Danforth-Eagleton amendment could be offered to the FY 1987 reconciliation bill. The amendment would provide for the integration of employee seniority lists in the case of future airline mergers or acquisitions, with the exception of the TWA-Ozark merger. (Vote No. 274—99th Congress, 2nd Session)

67% of Democrats voting supported the motion.

74% of Republicans voting opposed the motion.

The motion failed, 43-52, preventing further consideration of the amendment.

September 19, 1986.

6) Danforth-Eagleton question of germaneness of the Danforth-Eagleton amendment preserving seniority rights in airline mergers as an amendment to the Continuing Resolution for FY 1987. The question is: "Is the amendment germane?" (Vote No. 305—99th Congress, 2nd Session)

89% of Democrats voted that the amendment was germane.

85% of Republicans voted that the amendment was not germane.

The amendment was voted not germane, 49-49.

October 1, 1986.

The Danforth-Eagleton amendment was an effort to deal with one of the consequences of airline deregulation, namely, the integration of employee/seniority lists -- when airlines merge or are acquired by other airlines. The amendment would have specifically provided for the integration of seniority lists during such acquisitions or mergers.

The amendment was first offered to the reconciliation bill, but several members found it inappropriate as an amendment to a bill whose purpose is deficit reduction. Thus, the motion to waive the rules and allow the amendment to be offered failed. The sponsors then offered it the following month to the bill providing continuing appropriations for the Federal government for FY 1987. With 85 percent of Republicans voting that the amendment was not germane to the bill, the amendment was declared nongermane, and further consideration of it at that point was impossible.

69-213 O - 87 - 3

LOCAL GOVERNMENTS

Introduction

The First Budget Resolution for Fiscal Year 1987 reported by the Committee provided for only one quarter's payment ($1.8 billion) in FY 1987 for the General Revenue Sharing (GRS) program. Thus, for all practical purposes, the budget assumed expiration of the program after that quarter's payment.

Supporters of the GRS program, led by Senators Moynihan, Sasser, and Byrd, sought to assure full funding of the program in each year through FY 1989. The amendment provided these funds contingent on the enactment of necessary authorization legislation for those three years and contingent on the enactment of legislation raising revenues over and beyond those now projected that would be sufficient to pay for the full funding levels for those three years.

Preservation of the general revenue sharing program is in the national interest, being vital to the survival of many cities and towns and their ability to provide basic services without resorting to increases in regressive taxes such as property and sales taxes. Nevertheless, a motion to table the amendment was passed when 82 percent of voting Republicans voted to table.

The Record

1) Domenici motion to table the Moynihan-Sasser-Byrd, et al, amendment (to the First Budget Resolution, FY 1987) which provides $4.6 billion per year (full funding) through 1989 for general revenue sharing if legislation is enacted into law which reauthorizes the program and increases revenues sufficient to fund it. (The Committee resolution provides $1.8 billion for FY 1987 revenue sharing, if it is reauthorized and sufficient revenues are raised to pay for it, but provides no revenue sharing in FY 1988 or 1989.) (Vote No. 78—99th Congress, 2nd Session)

   70% of Democrats voting opposed the motion.

   82% of Republicans voting supported the motion.

   The amendment was tabled, 54-41.

   April 24, 1986.

PROTECTING SOCIAL SECURITY

Introduction

A consistent Democratic priority over the years has been the protection of Social Security. During the 99th Congress, Democrats continued their efforts to insure that Social Security—the contract this government has made with America's workers and retirees—would not be violated in the name of fiscal expediency.

One such effort was to insure that the Social Security trust funds could not be "borrowed" by the U.S. Treasury Department—as a sort of gigantic noninterest loan to the Federal government—to enable Treasury to pay Federal government bills when the statutory debt ceiling is reached and further formal borrowing by the Federal government to finance the deficit is illegal.

Another Democratic effort resulted in the passage by the Senate of legislation to alter the law governing when a cost-of-living adjustment (COLA) is paid to Social Security recipients. The amendment changed the law as it had existed—providing for a COLA only when inflation exceeded 3 percent—so that a COLA matching the rate of inflation in the previous year would be provided every year. Both these initiatives received considerable bipartisan support.

One Democratic effort to protect Social Security, however, was opposed by the Republican majority. While Social Security benefits are exempt from automatic spending cuts under the Gramm-Rudman law, the funds necessary to operate Social Security offices around the country and the agency's headquarters in Baltimore <u>can</u> be cut under Gramm-Rudman. Thus, while benefits are protected from arbitrary across-the-board cuts, it might be impossible to get those benefits to Social Security recipients if the administrative apparatus is cut back arbitrarily—making the exemption of benefits a cruelly hollow promise. Democrats sought to change Gramm-Rudman to protect funds to administer Social Security as well, but were thwarted by Republican opposition.

The Record

1) Heinz motion to table the Bumpers, et al, amendment (to the Debt Limit Extension bill) to exempt Social Security administrative expenses (including processing and mailing of benefit checks and the operation of Social Security offices) from any sequestration or automatic cuts under Gramm-Rudman. (Vote No. 175—99th Congress, 2nd Session)

   74% of Democrats voting opposed the motion.

   87% of Republicans voting supported the motion.

   The amendment was tabled, 45-36.

   August 1, 1986.

It makes little sense to exempt Social Security benefit checks from sequestration if the funds necessary to process those checks, including running the offices which take and process applications, questions, and complaints concerning the benefits, are not also protected from the cuts. With Members of Congress continuing to hear from constituents who are experiencing problems with the Social Security Administration, it is apparent that current administrative funding should not be cut—especially on an arbitrary across-the-board basis. Such cuts would only exacerbate the already tenuous ability of the agency and its field offices to deliver timely and accurate services. However, the Republican majority succeeded in tabling the amendment.

TAX EQUITY

Introduction

The tax reform bill reported by the Finance Committee came to the floor with many reforms long championed by Democrats. In response to the criticisms of Senate Democrats that the 1981 tax changes had given large tax cuts to very high income people and very modest cuts to middle income taxpayers, the Committee bill gave larger average tax cuts to middle income people than it gave to high income people. The bill also closed a number of the most abusive tax shelters and imposed tough minimum taxes on both individuals and corporations. It raised substantially both the standard deduction and personal exemption, which provided considerable tax relief to moderate income people and removed 6 million poor people from the income tax rolls altogether. Throughout debate on the bill, Democrats continued to fight for greater tax relief for the middle class. On specific amendments, Democrats supported efforts to provide fair tax treatment to farmers and ranchers and to low- and middle-income Americans saving for retirement.

The Record

1) Packwood motion to table the D'Amato, et al, substitute amendment (to the Dodd-D'Amato amendment No. 2066—to the Tax Reform Act of 1986) which provides a 15 percent tax credit for contributions to individual retirement accounts (IRAs) and pays for the IRA tax credit by increasing the individual and corporate alternative minimum tax from 20 percent to 22.6 percent. (Vote No. 125—99th Congress, 2nd Session)

   66% of Democrats voting opposed the motion.

   67% of Republicans voting supported the motion.

   The amendment was tabled, 51-48.

   June 11, 1986.

The bill's provision on individual retirement accounts (IRAs) was perhaps the most controversial aspect of the Finance Committee bill. Under the bill, persons who have a retirement plan at work would no longer be permitted to take a deduction for IRA contributions up to $2,000 a year. Senate Democrats argued that this provision would hurt millions of middle income taxpayers who were trying to save for their retirement.

Led by Senator Dodd, Senate Democrats backed an IRA amendment designed to concentrate benefits on the middle class. Rather than allowing a deduction for IRAs, the amendment proposed a tax credit of 15 percent. For the 80 percent of taxpayers scheduled to fall in the 15 percent tax bracket, this was the equivalent of a deduction. A credit, as opposed to a deduction, would assure that those in higher tax brackets would not get a bigger tax break. To assure revenue-neutrality, the amendment was financed by offsetting tax increases, which raised taxes by raising the tax rate on both corporations and individuals brought under the minimum tax provision. This source of revenue would have very little effect on middle income taxpayers.

Although a number of Republican Senators joined in supporting the amendment, the majority opposition of Republicans assured its defeat on a tabling motion.

2) Packwood motion to table the Melcher motion to waive section 303 of the Budget Act (which prohibits consideration of provisions that affect revenues prior to adoption of a first concurrent budget resolution) to allow consideration of the Melcher, et al, amendment (to the Tax Reform Act of 1986) that permits a 30 percent capital gains exclusion for noncorporate farmers, ranchers, and woodlot operators with incomes less than $100,000 annually, and offsets the $600 million cost of this provision by limiting the net operating loss carrybacks for corporations. (The Joint Committee on Taxation stated that the amendment is revenue neutral.) (Vote No. 146—99th Congress, 2nd Session)

70% of Democrats voting opposed the motion.

82% of Republicans voting suported the motion.

The motion to table was agreed to, 54-39.

June 24, 1986.

Senate Democrats also backed the effort led by Senator Melcher to continue a capital gains exclusion for noncorporate farmers, ranchers and woodlot operators with incomes less than $100,000. By eliminating the capital gains exclusion (60 percent under current law) the Finance Committee bill substantially increases the tax on the sale of capital assets. Senate Democrats argued that agriculture was a special case and that small farmers and ranchers should not be required to pay a higher rate of taxes on their capital gains. When a farmer puts his money into agriculture, he is taking a far greater risk than investors in blue chip stocks. Farmers depend on the sale of their capital assets for their retirement income but do not get the tax-favored treatment that current law provides to pension plans. To finance this provision for those in agriculture, the Melcher amendment proposed to close an accounting loophole used by corporations. Strong Republican opposition defeated the Melcher

proposal by preventing it from obtaining a necessary procedural waiver to enable the Senate to consider it.

3) Mattingly amendment (to the Tax Reform Act of 1986) stating the sense of the Congress that the provisions of the Internal Revenue Code should remain unchanged for at least five years after enactment of this bill in order to provide stability for the American taxpayer and the private sector. (Vote No. 147—99th Congress, 2nd Session)

73% of Democrats voting opposed the amendment.

73% of Republicans voting supported the amendment.

The amendment was agreed to, 50-47.

June 24, 1986.

Finally, most Democrats opposed an amendment expressing the sense of the Senate that the tax code should remain unchanged for the next five years. Senate Democrats pointed out that a tax overhaul of the magnitude of the current bill would inevitably require some unforeseen technical corrections once it takes effect. They also warned that the difficulty in reducing the deficit might require a new look at the tax code within five years, and that this amendment could create a straitjacket which could exacerbate problems, rather than provide stability.

TRADE

Introduction

The trade deficit for 1986 now threatens to exceed $180 billion as this publication is being prepared in early September. Federal Reserve Chairman Paul Volcker has characterized this deficit as "difficult and dangerous," and has warned that it could topple the country into a recession. In response, Democrats have urged an activist trade policy to encourage open world markets and growth in American exports. House Democrats passed comprehensive trade legislation, and Senate Democrats have offered a range of legislative options to meet the challenge of the new global economy and stengthen America's position as the world's greatest exporting nation.

Despite the trade crisis, the Administration and many Senate Republicans continue to oppose an activist trade policy. This became apparent in two important votes in the second session of the 99th Congress. In the first vote, Senate Republicans joined the Administration in opposing adjustment assistance that would help retrain American oil workers who lose their jobs as a result of imports, despite record unemployment in oil states caused by petroleum and petroleum product imports and a decline of between 50 and 60 percent in oil prices in a 4-month period. This was part of a pattern of Administration opposition to improvement and revitilization of the trade adjustment assistance program that assists American workers and communities in responding to a changing world economy.

In the second vote, Senate Republicans opposed a requirement that the President act within a specified time to let defense-essential industries and workers know whether or not imports threaten the national security. Under present law, there is no requirement that the President act within a specified time on petitions alleging damage by imports to the national security. As a result, petitions have languished for several years while American industries and workers are left with uncertainty and the defense industrial base may be suffering irreparable harm. Despite the fact that this amendment would not have required the President to do anything other than make a timely decision in cases where the national security could be undermined by imports, Senate Republicans voted party line opposition. By this vote, Senate Republicans demonstrated that they opposed decisive steps to improve our trade laws even to prevent our national security from being undermined by imports.

The Record

1) Johnston motion to waive section 401 of the Budget Act with respect to the Johnston, et al. amendment (to the Supplemental Appropriations bill) which would amend the Trade Act of 1974 to make workers and firms that supply parts and services for the oil and gas industry eligible for trade adjustment assistance. (Vote No. 118—99th Congress, 2nd Session)

   89% of Democrats voting supported the motion.

   70% of Republicans voting opposed the motion.

   The motion was agreed to, 55-40.

   June 6, 1986.

2) Packwood motion to table the Byrd amendment (to the DOD Authorization bill) which amends Section 232 of the Trade Expansion Act of 1962 to improve and streamline the mechanism for Administration action on petitions alleging a threat by imports to an industry critical to the national defense/security. (Vote No. 206—99th Congress, 2nd Session)

   96% of Democrats voting opposed the motion.

   100% of Republicans voting supported the motion.

   The amendment was tabled, 50-43.

   August 9, 1986.

TRANSPORTATION

Assuring Access to Rail Transport to Parties Served by Conrail

1) Danforth motion to table the Lautenberg-Moynihan-Bradley amendment (to the Danforth substitute amendment No. 1437—to the Conrail Sale Act of 1985) giving adversely-affected communities the right to appeal to U. S. District Courts for competitive trackage rights over Conrail/Norfolk Southern lines in the event of monopoly control of rail lines in a community or a port. (Vote No. 5—99th Congress, 2nd Session)

80% of Democrats voting opposed the motion.

81% of Republicans voting supported the motion.

The amendment was tabled, 51-45.

January 30, 1986.

In 1985, the Administration proposed to sell the Federal government's 85 percent interest in Conrail to the Norfolk Southern railroad for $1.2 billion. The sale to Norfolk Southern would create one of the largest railroads in the Nation. Concerns were expressed about the anticompetitive implications of such a sale, especially the possibility that a number of communities in parts of the northeast and midwest would experience a significant reduction in rail service. Consequently, many businesses in those areas would find themselves captive to a single giant railroad.

The Lautenberg-Moynihan-Bradley amendment was designed to provide a limited remedy to parties subject to the monopoly power of the giant new railroad created by the sale. The amendment simply provided that any party which found itself wholly dependent upon the Norfolk Southern-Conrail for rail service as a result of the sale could appeal to the U.S. District Court to allow another railroad to provide service by allowing the other railroad access to the captive party over the tracks of the Norfolk Southern-Conrail railroad.

The motion to table the amendment, supported by most Republicans, was agreed to, 51-45.

Air Travel Safety: Air Traffic Controllers

2) Trible motion to table the Lautenberg, et al. amendment (to the National and Dulles Airports Transfer bill) expressing the sense of the Senate that the Executive Branch should: (1) use the quickest and most cost-effective means to return the air traffic control system to adequate levels of experienced personnel; (2) rehire, as new employees, the air traffic controllers fired from the FAA in 1981, who meet Federal civil service standards; and (3) insure that no involuntary displacement of existing FAA personnel results from rehiring former controllers. (Vote No. 53—99th Congress, 2nd Session)

74% of Democrats voting opposed the motion.
90% of Republicans voting supported the motion.
The amendment was tabled, 57-39.
April 9, 1986.

The Nation's air traffic control system has not yet recovered from President Reagan's firing of all the air traffic controllers who went on strike in 1981. Five years after the strike, and in the face of dramatic increases in the volume of air traffic at the Nation's airports, there are more than 4,000 fewer air traffic contollers than before the strike.

Last year, commercial aviation had its worst safety record since 1977. In 1985 there were 526 fatalities from all U.S. air carriers, compared to 655 in 1977. There has been an increase in the number of near mid-air collisions reported by the Federal Aviation Administration (FAA). In 1980, there were 568 such incidents reported. In 1985, the number of incidents reported was 33 percent greater—at 758. During Senate consideration of legislation to transfer ownership of National and Dulles airports to a regional airport authority, Democrats offered an amendment to address the problem of the air traffic control system. The amendment expressed the sense of the Senate that the Administration should use the quickest and most cost-effective means to employ in the air traffic control system a sufficient number of personnel to attain the level of experienced personnel who had been employed before 1981. The amendment also called on the Administration to rehire, as new employees, the air traffic controllers—who continue to meet Federal civil service standards—who were fired from the FAA in 1981. It also sought to ensure that there would be no involuntary displacement of existing FAA personnel as a result of the rehiring of former controllers. Despite the growing public concern about declining air safety and the need for more experienced air traffic controllers, the amendment was tabled by the Republican majority.

MISCELLANEOUS

Forest Road Construction

Democrats attempted to amend the Interior Appropriations bill to reduce funding for forest road construction. The amendment sought to avoid building more roads than needed to support the timber sales program and to reduce the environmental damage associated with such activity. However, Republican opposition to this effort succeeded in nullifying the major intent of the amendment.

1) McClure motion to table the Proxmire-Humphrey amendment (to the Interior Appropriations bill) to reduce by $90 million the funds for Forest Service road and trail construction (from $260.6 million to $170.6 million). (Vote No. 258—99th Congress, 2nd Session)

   76% of Democrats voting opposed the motion.

   67% of Republicans voting supported the motion.

   The motion to table failed, 43-51.

   September 9, 1985.

2) McClure perfecting amendment to the Proxmire-Humphrey amendment—Vote No. 258 (to the Interior Appropriations bill) which reduces the Forest Service road construction account by $8 million and the timber sales activity account by $7 million, and adds $5 million each for land acquisition by the Forest Service, the National Park Service, and the Fish and Wildlife Service. (Vote No. 261—99th Congress, 2nd Session)

   69% of Democrats voting opposed the amendment.

   78% of Republicans voting supported the amendment.

   The amendment was agreed to, 53-42.

   September 16, 1986.

The Proxmire-Humphrey amendment sought to slow the pace of forest road construction to avoid building more roads than necessary to support the timber sales program and to reduce the budget deficit. When it became clear that the original amendment had majority support, the Republican leadership temporarily laid aside the Interior Appropriations bill to allow the opponents time to regroup. The perfecting amendment offered several days later reduced the road construction cut from $90 million to only $15 million and added $15 million to the land acquisition program of three agencies. Although the increase in land acquisition funding would allow those agencies to preserve additional land for parks and wildlife refuges, it would still allow timber road construction in excess of that needed to support the timber sales program. However, the changes incorporated in the perfecting amendment acquired sufficient support to gain its acceptance by the Senate, despite opposition from over two-thirds of Democrats. The underlying Proxmire-Humphrey amendment, as modified, was then adopted by voice vote.

Abortions in the District of Columbia

3) Committee amendment to the District of Columbia FY 1987 Appropriations Bill which (1) retains the current prohibition on the use of Federal funds to perform abortions in the District of Columbia except where the life of the mother would be endangered if the fetus were carried to term or in cases of rape, incest, or ectopic pregnancy, and (2) strikes the House language which prohibits the use of any funds, including those collected through local taxes, from being used to pay for abortions except where the life of the mother would be endangered if the fetus were carried to term. (Vote No. 263—99th Congress, 2nd Session)

78% of Democrats voting supported the committee amendment.

67% of Republicans voting opposed the committee amendment.

The amendment was agreed to, 48-42.

September 16, 1986.

The controversy over abortions has surfaced several times since the Supreme Court's decision on the constitutionality of abortions. A favorite target during recent congressional sessions has been the bill providing appropriations for the District of Columbia. This year, the controversy centered on two issues: first, an effort to further restrict the use of Federal funds to provide abortions in the District of Columbia, and second, an effort to restrict the use of locally-collected D.C. tax funds to provide abortions. The Senate Appropriations Committee's amendment affirmed current law concerning restrictions on the use of Federal funds and struck the House language pertaining to locally collected funds, stating that this language amounted to an assault on local prerogative concerning the use of locally collected funds. Although two-thirds of voting Republican Senators sought to impose their values on the taxpayers of D.C., the committee amendment was agreed to by a 48 to 42 vote, thus deleting the House restriction.

Product Liability

4) Kassebaum motion to waive section 305(b) of the Budget Act (which prohibits nongermane amendments to reconciliation bills) in order to allow consideration of the Kassebaum amendment (to the FY 1987 reconciliation bill), which provides for uniform standards of product liability for harm arising from general aviation accidents. (Vote No. 272—99th Congress, 2nd Session)

84% of Democrats voting opposed the motion.

72% of Republicans voting supported the motion.

The motion was rejected, 43-52.

September 19, 1986.

Senate Democrats opposed an effort by Republicans to rewrite product liability laws for the benefit of one specific industry—general aviation.

Opponents of the amendment argued that, while such changes may be needed, the entire field of product liability is controversial and should not be changed on a case-by-case basis. Furthermore, they argued that the amendment clearly was not germane to a reconciliation bill, the purpose of which is to reduce the Federal budget deficit. The motion to waive the budget act and allow consideration of the amendment was defeated.

Tenant Management of Public Housing

5) Dixon question of germaneness of the Dixon-Glenn amendment (to the FY 1987 Continuing Resolution), which permits tenant management of public housing. The question is: "Is the amendment germane?" (Vote No. 306—99th Congress, 2nd Session)

79% of Democrats voting voted that this amendment was germane.

94% of Republicans voting voted that this amendment was not germane.

The amendment was voted not germane, 40-58.

October 1, 1986.

Led by Senators Dixon and Glenn, Senate Democrats pushed for this amendment to permit tenant management of public housing. Under the amendment, a majority of tenant households in a housing project would be permitted to approve the establishment of a resident council to determine whether to establish a resident management corporation. If approved, the management corporation would manage the housing project under contract with the public housing agency. Such tenant management has been tried on an experimental basis in several cities with great success. This provision would have authorized such tenant management nationwide, under certain conditions.

This provision was identical to S. 2507 which had been approved unanimously by the Senate Banking Committee. With Senate Republicans, including bill cosponsor Senator Danforth, voting overwhelmingly that the legislation was not germane, the bill was ruled not germane and the Senate was prevented from taking it up.

Small Business

6) Hatfield motion to table the Metzenbaum perfecting amendment (to the Abdnor amendment to the FY 1987 Continuing Resolution), which reforms the Racketeering Influenced Corrupt Organizations (RICO) statute by eliminating treble

damages in most cases except where the plaintiff is a govermental entity or in certain consumer causes of action: tightening the definition of "pattern of illicit activity;" and imposing a three-year statute of limitations. . (Vote No. 352—99th Congress, 2nd Session.)

86% of Democrats opposed the motion to table.

87% of Republicans supported the motion.

The motion to table was agreed to, 47-44.

October 17, 1986 (session of October 16, 1986).

Democrats attempted to provide relief to small businessmen who have been unneccessarily subjected to frequent harrassment and nuisance suits by their business competitors predicated upon a broadly-worded law which was enacted many years ago but which was originally intended as a weapon against organized crime. Republicans blocked the effort by Democrats to amend the so-called "RICO" (Racketeering Influenced Corrupt Organizations) statute so as to ensure that the law would be utilized as it was originally intended.

APPENDIX

ROLLCALL VOTES REFERRED TO IN DEMOCRATIC ALTERNATIVES

PART VI

SENATE VOTING RECORD

NO. 5

99th Congress
2nd Session

January 30, 1986, 1:10 p.m.
Temp. Cong. Rec. p. S-705

CONRAIL SALE

BILL NO.: S. 638 **AMENDMENT NO.:** 1570

TITLE: "Conrail Sale Amendments Act of 1985."

SUBJECT: **Danforth motion to table the Lautenberg-Moynihan-Bradley amendment (to the Danforth substitute amendment No. 1437) giving adversely affected communities the right to appeal to U.S. District Courts for competitive trackage rights over Conrail/Norfolk Southern lines in the event of monopoly control of rail lines in a community or a port.**

NOTE: Proponents of the amendment asserted that it would provide relief to captive communities and shippers in the Conrail service area and keep Norfolk Southern honest. It addresses monopoly per se, and will not specifically affect Norfolk Southern if the railroad does not price its services so high that it attracts competitors to the market.

Opponents of the amendment claimed that it would put the Federal courts across the land into the regulatory business. The ICC already has the powers that the amendment would give to the courts. The Port of New York, in fact, will be one of the beneficiaries from the Conrail sale since it will gain Guilford as a second line.

S. 638: Vote Nos. 1-12.

RESULT: **MOTION TO TABLE AGREED TO**

YEAS (51)

Democrats (9 or 20%)	Republicans (42 or 81%)	
Bingaman	Armstrong	Humphrey
Boren	Chafee	Kassebaum
Eagleton	Cochran	Kasten
Heflin	Cohen	Laxalt
Hollings	Danforth	Lugar
Long	Denton	Mattingly
Matsunaga	Dole	McClure
Pryor	Domenici	Murkowski
Stennis	Durenberger	Nickles
	East	Packwood
	Evans	Quayle
	Garn	Roth
	Goldwater	Rudman
	Gorton	Simpson
	Gramm	Stevens
	Grassley	Symms
	Hatch	Thurmond
	Hatfield	Trible
	Hawkins	Warner
	Hecht	Weicker
	Helms	Wilson

NAYS (45)

Democrats (35 or 80%)		Republicans (10 or 19%)
Bentsen	Kennedy	Abdnor
Biden	Kerry	Andrews
Bradley	Lautenberg	Boschwitz
Bumpers	Leahy	D'Amato
Burdick	Levin	Heinz
Byrd	Melcher	Mathias
Chiles	Metzenbaum	McConnell
Cranston	Mitchell	Pressler
DeConcini	Moynihan	Specter
Dixon	Pell	Stafford
Dodd	Proxmire	
Exon	Riegle	
Ford	Rockefeller	
Glenn	Sarbanes	
Gore	Sasser	
Harkin	Simon	
Hart	Zorinsky	
Johnston		

NOT VOTING (4)

Democrats (3)	Republicans (1)
Baucus—2	Wallop—2
Inouye—1	
Nunn—2	

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 80%
Republicans— 81%

Measure of Party Support on Issue as Voted on

For (51)
Democrats— 9 or 18%
Republicans— 42 or 82%

Against (45)
Democrats— 35 or 78%
Republicans— 10 or 22%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 29

99th Congress
2nd Session

March 11, 1986, 3:54 p.m.
Temp. Cong. Rec. p. S-2402

BUDGET BALANCED—CONSTITUTIONAL AMENDMENT

BILL NO.: S.J. Res. 225

AMENDMENT NO.: 1654

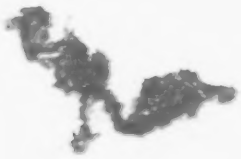
SUBJECT: DeConcini motion to table the Metzenbaum amendment (to the Thurmond substitute amendment No. 1652) to add a new section to the Constitutional amendment that requires the President to submit a balanced budget to Congress prior to each fiscal year and allows the President also to recommend an alternative budget in which outlays exceed receipts with an explanation for such excess.

NOTE: Proponents of the amendment (voting nay) asserted that the President's role in submitting and upholding a balanced budget must be spelled out, just as the role of Congress to adopt a balanced budget is codified by the resolution. Ronald Reagan campaigned strongly for a balanced budget but as President has yet to submit a balanced budget to Congress. While he has been President, the national debt has doubled, yet he continues to crusade for a balanced budget. The President should be held accountable in this process.

Opponents of the amendment (voting yea) stated that it was inappropriate because a Constitutional amendment should deal with broad principles—not with detailed processes. The resolution already requires the President to uphold a balanced budget. Therefore, this amendment is redundant. Not only would it introduce the President into the budgetary process by Constitutional mandate—a role the framers of the Constitution gave to Congress—but it also could enhance the possibility of an "imperial presidency." The careful separation of powers that exists between the three levels of government must not be altered.

S.J. Res. 225: Vote Nos. 29-35, 45.

RESULT: MOTION TO TABLE AGREED TO



YEAS (54)

Democrats (7 or 16%)	Republicans (47 or 89%)	
Bentsen	Abdnor	Kassebaum
DeConcini	Boschwitz	Kasten
Dixon	Chafee	Laxalt
Long	Cochran	Lugar
Proxmire	Cohen	Mattingly
Simon	D'Amato	McClure
Zorinsky	Danforth	McConnell
	Denton	Murkowski
	Dole	Packwood
	Domenici	Pressler
	Durenberger	Quayle
	East	Roth
	Evans	Rudman
	Gam	Simpson
	Goldwater	Specter
	Gorton	Stafford
	Gramm	Stevens
	Grassley	Symms
	Hatch	Thurmond
	Hatfield	Trible
	Hawkins	Wallop
	Hecht	Warner
	Heinz	Wilson
	Helms	

NAYS (44)

Democrats (38 or 84%)		Republicans (6 or 11%)
Baucus	Johnston	Andrews
Biden	Kennedy	Armstrong
Bingaman	Kerry	Humphrey
Boren	Lautenberg	Mathias
Bradley	Leahy	Nickles
Bumpers	Levin	Weicker
Burdick	Matsunaga	
Byrd	Melcher	
Chiles	Metzenbaum	
Cranston	Mitchell	
Dodd	Moynihan	
Eagleton	Nunn	
Glenn	Pell	
Gore	Pryor	
Harkin	Riegle	
Hart	Rockefeller	
Heflin	Sarbanes	
Hollings	Sasser	
Inouye	Stennis	

NOT VOTING (2)

Democrats (2)	Republicans (0)
Exon—2AN	
Ford—2	

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—84%
Republicans—89%

Measure of Party Support on Issue as Voted on

For (54)
Democrats—7 or 13%
Republicans—47 or 87%

Against (44)
Democrats—38 or 86%
Republicans—6 or 14%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 31

99th Congress
2nd Session

March 12, 1986, 1:05 p.m.
Temp. Cong. Rec. p. S-2488

BUDGET BALANCED—CONSTITUTIONAL AMENDMENT

BILL NO.: S.J. Res. 225 AMENDMENT NO.: 1659

SUBJECT: Simon motion to table the Heflin amendment (to the Thurmond substitute amendment No. 1652) to provide for an automatic waiver of the balanced budget Constitutional amendment during any fiscal year in which a declaration of war is in effect, and establish a two-stage waiver process for periods of undeclared war in which Congress must: (1) adopt a joint resolution by a majority of the full membership of each House, signed by the President, declaring that "the U.S. is engaged in military conflict which causes an imminent and serious military threat to national security" and (2) adopt another joint resolution, also by a majority of each House and signed by the President, to waive the balanced budget requirement.

VOTE: Proponents of the amendment stated that it would correct a serious defect in the Constitutional amendment, which does not deal with the issue of undeclared war, and could prove vital to the Nation's security. The U.S. can be faced with military emergencies which threaten national security and require significant expenditures to support without a formal declaration of war. In fact, the Nation has been involved in only five declared wars. All of the significant military actions of the past few decades, including the Vietnam and Korean conflicts, have been undeclared wars. This amendment would give Congress and the President the necessary flexibility to respond rapidly when such military emergencies arise. The two-stage waiver process would prevent abuse of the budget waiver and ensure that it would not be initiated unless a prolonged military conflict occurs which presents an imminent and serious military threat to the U.S. It also is important that the security of the Nation not rest on the nine votes in the Senate and 43 votes in the House which constitute the difference between a majority and a three-fifths vote by the full membership. Congress can approve a military action under the War Powers Act by a simple majority vote of those present and voting, but under the provisions of the proposed Constitutional amendment, a three-fifths vote would be required in order to provide the necessary funds. There have been many important Senate votes decided by a small margin including the vote to declare the War of 1812 (a seven vote margin), the extension of the draft just prior to World War II (a one vote margin), and the withdrawal of troops from Vietnam (a nine vote margin). The Nation's defense is at stake here—not just the Federal budget—and we must insure that Congress retains the necessary tools to combat any security threat to the U.S.

(OVER)

S.J. Res. 225: Vote Nos. 29-35, 45.

RESULT: **MOTION TO TABLE AGREED TO**

YEAS (52)			NAYS (48)			NOT VOTING (0)	
Democrats (12 or 26%)	Republicans (40 or 75%)		Democrats (35 or 74%)		Republicans (13 or 25%)	Democrats (0)	Republicans (0)
Burdick	Abdnor	Kasten	Baucus	Johnston	Andrews		
Chiles	Armstrong	Laxalt	Bentsen	Kennedy	Chafee		
DeConcini	Boschwitz	Lugar	Biden	Kerry	Cohen		
Dixon	Cochran	McClure	Bingaman	Lautenberg	Denton		
Hart	D'Amato	McConnell	Boren	Leahy	Evans		
Hollings	Danforth	Murkowski	Bradley	Levin	Goldwater		
Long	Dole	Nickles	Bumpers	Matsunaga	Gorton		
Metzenbaum	Domenici	Packwood	Byrd	Melcher	Heinz		
Moynihan	Durenberger	Pressler	Cranston	Mitchell	Mathias		
Proxmire	East	Roth	Dodd	Nunn	Mattingly		
Simon	Garn	Rudman	Eagleton	Pell	Quayle		
Zorinsky	Gramm	Simpson	Exon	Pryor	Stevens		
	Grassley	Specter	Ford	Riegle	Wallop		
	Hatch	Stafford	Glenn	Rockefeller			
	Hatfield	Symms	Gore	Sarbanes			
	Hawkins	Thurmond	Harkin	Sasser			
	Hecht	Trible	Heflin	Stennis			
	Helms	Warner	Inouye				
	Humphrey	Weicker					
	Kassebaum	Wilson					

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion	Measure of Party Support on Issue as Voted on	
	For (52)	*Against* (48)
Democrats— 74%	Democrats— 12 or 23%	Democrats— 35 or 73%
Republicans— 75%	Republicans— 40 or 77%	Republicans— 13 or 27%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

Opponents of the amendment termed it an unnecessary encumbrance to the waiver process which would endanger adoption of the Constitutional amendment to balance the budget. Under the reported resolution, Congress would retain the flexibility necessary to respond to a national security crisis. It could: (1) waive the balanced budget requirement by a three-fifths vote and provide whatever funds were necessary to address the threat; (2) transfer funds from other budget areas or increase taxes by a simple majority vote; or (3) maintain a contingency fund as part of the approved balanced budget to be activated, by a majority vote, when needed to address a military threat. No military conflict which posed an imminent threat to the Nation, opponents insisted, would be abandoned because Congress could not muster a three-fifths vote. Congress has always responded to such emergencies and will continue to do so. Others asserted that the amendment went too far and would make it too easy to find excuses for creating deficits. Still others disagreed and stated that the amendment did not go far enough in that a military conflict had to exist, at the risk of American lives, before a waiver could be justified. Many others opposed the entire proposition that the Constitution should be amended to include a balanced budget requirement. The Constitution is not the place to deal with problems of fiscal policy, they commented, and the Gramm-Rudman-Hollings Balanced Budget Act of 1985 should be given a chance to work before the Senate even considers that option.

SENATE VOTING RECORD

NO. 35

99th Congress
2nd Session

March 13, 1986, 12:12 p.m.
Temp. Cong. Rec. p. S-2611

BUDGET BALANCED—CONSTITUTIONAL AMENDMENT

BILL NO.: S.J. Res. 225 **AMENDMENT NO.:** 1668

SUBJECT: **Hatch-Thurmond, et al. modified amendment (to the Thurmond substitute amendment No. 1652) to add new language to the balanced budget Constitutional amendment which states that: "The public debt of the U.S. shall not be increased to fund any excess of outlays over receipts for any fiscal year, unless three-fifths of the whole number of both Houses of Congress shall provide, by law, for such an increase."**

NOTE: Proponents stated that the amendment would clarify that an increase in the public debt is only subject to a three-fifths vote if those increases were intended to fund an excess of outlays over receipts. This additional provision, they maintained, would provide the Constitutional amendment with the needed enforcement mechanism that it now lacks. It would make it harder to vote for deficit spending and force the government to find more creative ways to finance its debts and keep within fiscal constraints.

Opponents contended that the amendment would make it harder to honor obligations that the Federal government has already incurred and more difficult to raise the public debt limit to carry out those obligations. It would codify into Constitutional law a process that would not be fair to people who, in good faith, have relied on the good credit of the Federal government. Congress should make it hard to incur debt but not harder to pay the bills that have been incurred. Ironically, there are more than enough Senators who avidly support a balanced budget amendment—certainly more than enough to do the job of balancing the budget.

S.J. Res. 225: Vote Nos. 29-35, 45.

RESULT: **AMENDMENT AGREED TO**

YEAS (57)

Democrats (16 or 34%)	Republicans (41 or 82%)	
Baucus	Abdnor	Kasten
Bentsen	Andrews	Laxalt
Boren	Armstrong	Mattingly
Burdick	Boschwitz	McClure
Chiles	Cochran	McConnell
DeConcini	Cohen	Murkowski
Dixon	D'Amato	Nickles
Heflin	Danforth	Pressler
Leahy	Denton	Quayle
Long	Dole	Roth
Nunn	Domenici	Rudman
Proxmire	East	Simpson
Pryor	Garn	Specter
Sasser	Gramm	Stafford
Stennis	Grassley	Stevens
Zorinsky	Hatch	Thurmond
	Hawkins	Trible
	Hecht	Wallop
	Helms	Warner
	Humphrey	Wilson
	Kassebaum	

NAYS (40)

Democrats (31 or 66%)		Republicans (9 or 18%)
Biden	Johnston	Chafee
Bingaman	Kennedy	Durenberger
Bradley	Kerry	Evans
Bumpers	Lautenberg	Gorton
Byrd	Levin	Hatfield
Cranston	Matsunaga	Heinz
Dodd	Melcher	Lugar
Eagleton	Metzenbaum	Packwood
Exon	Mitchell	Weicker
Ford	Moynihan	
Glenn	Pell	
Gore	Riegle	
Harkin	Rockefeller	
Hart	Sarbanes	
Hollings	Sasser	
Inouye		

NOT VOTING (3)

Democrats (0)	Republicans (3)
	Goldwater—[1]
	Mathias—[1]
	Symms—[2]

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 66%
Republicans— 82%

Measure of Party Support on Issue as Voted on

For (57)
Democrats— 16 or 28%
Republicans— 41 or 72%

Against (40)
Democrats— 31 or 77.5%
Republicans— 9 or 22.5%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 40

99th Congress
2nd Session

March 18, 1986, 3:02 p.m.
Temp. Cong. Rec. p. S-2923

NOMINATION OF SIDNEY A. FITZWATER TO BE U.S. DISTRICT JUDGE (CLOTURE)

POSITION: U.S. District Judge for the Northern District of Texas

SUBJECT: **Dole, et al, motion to close further debate on the nomination of Sidney A. Fitzwater to be U.S. District Judge for the Northern District of Texas.** (See Vote No. 41 on confirmation.)

NOTE: The cloture petition, presented on March 14, 1986, was signed by Senators Dole, Thurmond, Gramm, Evans, Cochran, Simon, Armstrong, Hatch, McConnell, McClure, Heinz, Quayle, Gorton, Grassley, Domenici, and Stevens.

Vote Nos. 40, 41.

RESULT: CLOTURE MOTION AGREED TO, 3/5THS HAVING VOTED IN THE AFFIRMATIVE

ADMINISTRATION POSITION: YEA

YEAS (64)

Democrats (12 or 27%)	Republicans (52 or 100%)	
Baucus	Abdnor	Humphrey
Bentsen	Andrews	Kassebaum
Boren	Armstrong	Kasten
DeConcini	Boschwitz	Laxalt
Hollings	Chafee	Lugar
Johnston	Cochran	Mattingly
Long	Cohen	McClure
Pell	D'Amato	McConnell
Pryor	Danforth	Murkowski
Simon	Denton	Nickles
Stennis	Dole	Packwood
Zorinsky	Domenici	Pressler
	Durenberger	Quayle
	East	Roth
	Evans	Rudman
	Garn	Simpson
	Goldwater	Specter
	Gorton	Stafford
	Gramm	Stevens
	Grassley	Symms
	Hatch	Thurmond
	Hatfield	Trible
	Hawkins	Wallop
	Hecht	Warner
	Heinz	Weicker
	Helms	Wilson

NAYS (33)

Democrats (33 or 73%)	Republicans (0 or 0%)
Biden	Kennedy
Bingaman	Kerry
Bradley	Lautenberg
Burdick	Leahy
Byrd	Levin
Chiles	Matsunaga
Cranston	Melcher
Dixon	Metzenbaum
Dodd	Mitchell
Eagleton	Moynihan
Exon	Nunn
Ford	Proxmire
Glenn	Riegle
Gore	Rockefeller
Harkin	Sarbanes
Hart	Sasser
Heflin	

NOT VOTING (3)

Democrats (2)	Republicans (1)
Bumpers—2	Mathias—1
Inouye—4	

EXPLANATION OF ABSENCE:

1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:

AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 73%
Republicans— 100%

Measure of Party Support on Issue as Voted on

For (64)
Democrats— 12 or 19%
Republicans— 52 or 81%

Against (33)
Democrats— 33 or 100%
Republicans— 0 or 0%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 41

99th Congress
2nd Session

March 18, 1986, 4:49 p.m.
Temp. Cong. Rec. p. S-2931

NOMINATION OF SIDNEY A. FITZWATER TO BE U.S. DISTRICT JUDGE

POSITION: U.S. District Judge for the Northern District of Texas

SUBJECT: **Confirmation of the nomination of Sidney A. Fitzwater, of Texas, to be U.S. District Judge for the Northern District of Texas.**

NOTE: Proponents of the nomination, which was reported by a vote of 10 to 5, noted Mr. Fitzwater's B.A. and J.D. from Baylor University, and his law practice in Houston and Dallas from 1976 to 1982, when he was appointed to be a district judge in Dallas County. As the youngest district judge in the history of Texas, he received top ratings in a poll of judges by the Dallas Bar Association in 1983. The sign posting incident in one Dallas precinct, although regrettable, is not enough, they argued, to deny Mr. Fitzwater a Federal judgeship.

Opponents maintained that Mr. Fitzwater should have refused to participate in the "Republican Ballot Security Program" in Dallas in 1982 which used scare tactics to keep minority voters from voting. Three other sitting judges refused. The nominee showed a lack of respect for democracy's most basic right—the right to vote. Mr. Fitzwater knew that the signs were posted in a partisan effort and were misleading in their representation of Texas voting laws. The Texas legislature subsequently acted to preclude this from happening again. The sign posting, they argued, compromises the public's perception that courts and judges are a forum for fair, unbiased, and impartial adjudication of disputes. At age 32, Mr. Fitzwater has not shown the qualities needed for a lifetime appointment to the Federal judiciary.

Vote Nos. 40, 41.

RESULT: **NOMINATION CONFIRMED**

ADMINISTRATION POSITION: YEA

YEAS (52)

Democrats (3 or 7%)	Republicans (49 or 96%)	
Pell	Abdnor	Humphrey
Pryor	Andrews	Kassebaum
Simon	Armstrong	Kasten
	Boschwitz	Laxalt
	Chafee	Lugar
	Cochran	Mattingly
	Cohen	McConnell
	D'Amato	Murkowski
	Danforth	Nickles
	Denton	Packwood
	Dole	Pressler
	Domenici	Quayle
	Durenberger	Roth
	East	Rudman
	Evans	Simpson
	Garn	Stafford
	Goldwater	Stevens
	Gorton	Symms
	Gramm	Thurmond
	Grassley	Trible
	Hatch	Wallop
	Hatfield	Warner
	Hawkins	Weicker
	Hecht	Wilson
	Helms	

NAYS (42)

Democrats (40 or 93%)		Republicans (2 or 4%)
Baucus	Hollings	Heinz
Bentsen	Johnston	Specter
Biden	Kennedy	
Bingaman	Kerry	
Boren	Lautenberg	
Bradley	Levin	
Burdick	Long	
Byrd	Matsunaga	
Chiles	Melcher	
Cranston	Metzenbaum	
Dixon	Mitchell	
Dodd	Moynihan	
Eagleton	Nunn	
Exon	Proxmire	
Ford	Riegle	
Glenn	Rockefeller	
Gore	Sarbanes	
Harkin	Sasser	
Hart	Stennis	
Heflin	Zorinsky	

NOT VOTING (5)

Democrats (3)	Republicans (2)
Bumpers—2	Mathias—1
Inouye—2	McClure—2
Leahy—2PN	

LIVE PAIRS (1)

PRESENT AND GIVING:	RECEIVING:
DeConcini (PY)	Leahy (PN)

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 93%
Republicans— 96%

Measure of Party Support on Issue as Voted on

For (52)
Democrats— 3 or 6%
Republicans— 49 or 94%

Against (42)
Democrats— 40 or 95%
Republicans— 2 or 5%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 47

99th Congress
2nd Session

March 27, 1986, 11:38 a.m.
Temp. Cong. Rec. p. S-3580

NICARAGUAN CONTRA AID

BILL NO.: S.J. Res. 283

AMENDMENT NO.: 1717

SUBJECT: **Helms substitute amendment which makes the requested Contra funds available after May 15, 1986, if the President determines and reports to Congress that Nicaragua: (1) has not terminated all overt and covert aggression against other countries, (2) has not terminated all importation of military supplies and foreign military and security personnel, (3) has not expelled all Soviet and Cuban personnel in Nicaragua, (4) is delaying the implementation of the above acts in order to pursue decisive military victory against the Contras, (5) has not explicitly acknowledged an obligation to the Organization of American States to implement democracy, and (6) has not given permission for all political parties to begin organizing political activities in preparation for elections to be held at a future date.** (See also Vote Nos. 48, 49 and 51.)

NOTE: Proponents asserted that the only hope for the restoration of freedom in Nicaragua is embodied in the military struggle of the Contras to guarantee the establishment of representative democracy. The Contras have stated that they seek to assure government respect for free speech, worship, and association—rights that are being denied systematically by the Sandinista government. Last October, the Sandinistas broadened restrictions on its citizens' civil liberties and received aid from the Soviets and Eastern Bloc countries, claiming it did so in response to U.S. aggression and counterrevolutionary activity. The U.S. cannot allow the Marxist Sandinistas to continue to threaten the regional peace as they tighten their totalitarian hold on the country. The Sandinistas will not engage in serious, productive negotiations for peace; nor will they make meaningful internal and democratic reforms unless they are faced with the certainty that the opposition will survive and must be included in the political process. The U.S. must support the well-organized "freedom fighters" who have declared their support for the basic rights, which every American enjoys.

Opponents insisted that the U.S. should not continue to fuel the fires of violence and warfare by supplying the Contras with more military aid. They declared that the Contras are not "freedom fighters," but are terrorists perpetrating acts of violence and indiscriminate aggression against men, women, and children.

S.J. Res. 283: Vote Nos. 46-51.

RESULT: **AMENDMENT REJECTED**

ADMINISTRATION POSITION: NAY

YEAS (39)

Democrats (3 or 7%)	Republicans (36 or 68%)	
Boren	Abdnor	Laxalt
Heflin	Armstrong	Lugar
Zorinsky	Cochran	Mattingly
	D'Amato	McClure
	Danforth	McConnell
	Denton	Murkowski
	Dole	Nickles
	Domenici	Pressler
	East	Quayle
	Garn	Roth
	Goldwater	Simpson
	Gramm	Stevens
	Hatch	Symms
	Hawkins	Thurmond
	Hecht	Trible
	Helms	Wallop
	Humphrey	Warner
	Kasten	Wilson

NAYS (60)

Democrats (43 or 93%)		Republicans (17 or 32%)
Baucus	Johnston	Andrews
Bentsen	Kennedy	Boschwitz
Biden	Kerry	Chafee
Bingaman	Lautenberg	Cohen
Bradley	Leahy	Durenberger
Bumpers	Levin	Evans
Burdick	Long	Gorton
Byrd	Matsunaga	Grassley
Chiles	Melcher	Hatfield
Cranston	Metzenbaum	Heinz
DeConcini	Mitchell	Kassebaum
Dixon	Moynihan	Mathias
Dodd	Nunn	Packwood
Eagleton	Pell	Rudman
Exon	Proxmire	Specter
Ford	Pryor	Stafford
Glenn	Riegle	Weicker
Gore	Sarbanes	
Harkin	Sasser	
Hart	Simon	
Hollings	Stennis	
Inouye		

NOT VOTING (1)

Democrats (1)	Republicans (0)
Rockefeller—2AN	

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 93%
Republicans— 68%

Measure of Party Support on Issue as Voted on

For (39)
Democrats— 3 or 8%
Republicans— 36 or 92%

Against (60)
Democrats— 43 or 72%
Republicans— 17 or 28%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

69-213 O - 87 - 4

SENATE VOTING RECORD

NO. 48

99th Congress
2nd Session

March 27, 1986, 3:41 p.m.
Temp. Cong. Rec. p. S-3627

NICARAGUAN CONTRA AID

BILL NO.: S.J. Res. 283

AMENDMENT NO.: 1718

SUBJECT: **Sasser-Gore-Exon substitute amendment which restricts aid to the Nicaraguan Contras to $30 million in humanitarian assistance, $3 million of which is to promote advancement of human rights; prohibits assistance by or through the CIA or other intelligence-gathering U.S. government entities to the Contra forces; requires the U.S. to begin serious bilateral negotiations with the Nicaraguan government, provided that a ceasefire is established, without requiring, as a precondition, negotiations between the Sandinista government and the Contras; establishes a ten-member Senate Central American Negotiations Observer Group to report to Congress, within six months, on the status of any negotiations; and requires the President to fully account to Congress every 30 days on the use of these funds.** (See also Vote Nos. 47, 49, and 51.)

NOTE: Proponents stated that the amendment would protect legitimate U.S. security interests and promote stability in Central America. It would establish specific, achievable policy goals with respect to Nicaragua and create concrete inducements for the Administration and the Sandinistas to negotiate a diplomatic solution. The U.S. should not grant military aid to the Contras until all diplomatic alternatives have been exhausted. The eight nations involved in the Contadora process asked that this military aid not be granted and have indicated that it could jeopardize diplomatic efforts in the region. Military assistance only escalates the conflict in Central America, encourages further militarization in Nicaragua, and bolsters the Sandinista's internal support. It allows the Sandinistas to justify the curtailment of civil liberties, rationalize their economy's poor performance, and further consolidate their authoritarian regime. The U.S. should commit itself to a bipartisan foreign policy in Central America which emphasizes negotiations and diplomacy. Only through such direct, bilateral negotiations will the

(OVER)

S.J. Res. 283: Vote Nos. 46-51.

RESULT: AMENDMENT REJECTED

ADMINISTRATION POSITION: NAY

YEAS (33)		
Democrats (32 or 68%)		Republicans (1 or 2%)
Baucus	Kerry	Hatfield
Biden	Lautenberg	
Bumpers	Levin	
Burdick	Matsunaga	
Byrd	Melcher	
Cranston	Metzenbaum	
DeConcini	Mitchell	
Dodd	Moynihan	
Eagleton	Pell	
Exon	Proxmire	
Glenn	Pryor	
Gore	Riegle	
Harkin	Rockefeller	
Hart	Sarbanes	
Inouye	Sasser	
Kennedy	Simon	

NAYS (67)		
Democrats (15 or 32%)	Republicans (52 or 98%)	
Bentsen	Abdnor	Kassebaum
Bingaman	Andrews	Kasten
Boren	Armstrong	Laxalt
Bradley	Boschwitz	Lugar
Chiles	Chafee	Mathias
Dixon	Cochran	Mattingly
Ford	Cohen	McClure
Heflin	D'Amato	McConnell
Hollings	Danforth	Murkowski
Johnston	Denton	Nickles
Leahy	Dole	Packwood
Long	Domenici	Pressler
Nunn	Durenberger	Quayle
Stennis	East	Roth
Zorinsky	Evans	Rudman
	Garn	Simpson
	Goldwater	Specter
	Gorton	Stafford
	Gramm	Stevens
	Grassley	Symms
	Hatch	Thurmond
	Hawkins	Trible
	Hecht	Wallop
	Heinz	Warner
	Helms	Weicker
	Humphrey	Wilson

NOT VOTING (0)	
Democrats (0)	Republicans (0)

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 68%
Republicans— 98%

Measure of Party Support on Issue as Voted on

For (33)
Democrats— 32 or 97%
Republicans— 1 or 3%

Against (67)
Democrats— 15 or 22%
Republicans— 52 or 78%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

U.S. be able to protect its national security interests, avoid further involvement of U.S. military forces there, and ensure that Nicaragua will not become the base of Soviet operations in Central America. If the Nicaraguan government does not want to negotiate in good faith, let this hypocrisy be exposed to the world. Some proponents commented that $100 million in military aid to the Contras cannot be justified when it has no hope of accomplishing its objectives and could be better spent on needy citizens here in the U.S. who are being left hungry and cold because of drastic budget cuts.

Opponents maintained that the amendment showed a clear disregard for the Constitutional separation of powers, undercutting the President's foreign policy initiatives and removing any incentive which the Sandinistas might have to negotiate. The U.S. has made numerous, sincere, but unsuccessful, attempts to negotiate with the Sandinistas during the last six years. It, too, has pledged to participate in new bilateral talks in support of a Contadora agreement, simultaneously with the Contras, in response to any meaningful changes in the Sandinista regime. Now it is up to the Sandinistas to demonstrate that they genuinely want peace. This amendment merely would keep the doors open for the Soviets and Cubans to continue their massive military buildup in Nicaragua. The Sandinistas would continue to "give lip service" to negotiations while they seek to defeat the Contras and export their Marxist-Leninist revolution throughout Central America. An antagonistic government in Managua is an ongoing threat to the U.S. and its allies in this hemisphere, they declared, and $100 million in aid to the "freedom fighters" is a modest price to pay for limiting the Sandinistas' revolution. It is a choice between giving aid in support of those who wish to preserve freedom and support our own national interests or procrastinating further which is to "choose dishonor, . . . inherit war, and risk defeat." This aid request will not be enough to force the Sandinistas to negotiate with their countrymen, they admitted, but, in conjunction with other economic and diplomatic pressures, it may provide sufficient pressure to force the Sandinistas into moving toward a more open, democratic society.

SENATE VOTING RECORD

NO. 51

99th Congress
2nd Session

March 27, 1986, 7:13 p.m.
Temp. Cong. Rec. p. S-3689

NICARAGUAN CONTRA AID

BILL NO.: S.J. Res. 283

AMENDMENT NO.: 1720

SUBJECT: Lugar, et al, modified substitute amendment which provides $100 million, by transfer from already appropriated FY 1986 Department of Defense funds, to aid the Nicaraguan democratic resistance (Contras) of which $30 million is for humanitarian aid (including antiaircraft weapons); delays the delivery of $75 million of these funds for 90 days to give the Sandinistas an opportunity to negotiate with the Contras and the Contadora process time to achieve a regional settlement; allows the release of $15 million every three months beginning July 1 if the President certifies to Congress that there is no reasonable prospect of achieving an agreement; and gives Congress the right to disapprove additional aid by enactment of a joint resolution (which could be vetoed, and therefore would need two-thirds support in both Houses to be overridden). (See also Vote Nos. 47-49. Subsequently, the bill was passed by voice vote. See further Vote Nos. 211-218 and 220-230 when the Senate again considered aid for the Contras as part of the FY 1987 Military Construction appropriations bill.)

NOTE: Proponents asserted that the amendment would provide three months for all concerned parties to reassess Nicaraguan policies. By restricting funds for 90 days and only supplying $30 million in humanitarian assistance, the U.S. would encourage the Sandinistas to rethink their intransigent position. If the Sandinistas know that the U.S. will not supply the additional aid to the Contras in that period and begin to institute reforms, then a great step toward peace might be achieved. With this amendment, the U.S. would restate its commitment not only to the Contadora process, but also to supplying humanitarian funds and, if necessary, military aid later to those who support freedom and democracy. This amendment represents the best compromise by which the four U.S. policy goals in Central America can be furthered—to end Nicaraguan support for guerillas in neighboring countries and to make Nicaragua retract its stated goal of "revolution without borders;" to sever Nicaraguan military and security ties to Cuba and the Soviet Union; to reduce Nicaragua's military forces to levels that would restore military equilibrium; and to fulfill the original Sandinista promises to support democratic pluralism and respect for human rights.

Opponents argued that this amendment would promote the current U.S. policy in Central America which will lead only to military involvement and loss of American lives. It violates international law, and is inconsistent with traditional U.S. values by, dividing—rather than uniting—this country, and isolating

(OVER)

S.J. Res. 283: Vote Nos. 46-51.

RESULT: AMENDMENT AGREED TO

ADMINISTRATION POSITION: YEA

YEAS (53)			NAYS (47)			NOT VOTING (0)	
Democrats (11 or 23%)	Republicans (42 or 79%)		Democrats (36 or 77%)		Republicans (11 or 21%)	Democrats (0)	Republicans (0)
Bentsen	Abdnor	Kassebaum	Baucus	Kerry	Andrews		
Boren	Armstrong	Kasten	Biden	Lautenberg	Chafee		
Bradley	Boschwitz	Laxalt	Bingaman	Leahy	Durenberger		
Chiles	Cochran	Lugar	Bumpers	Levin	Evans		
Dixon	Cohen	Mattingly	Burdick	Matsunaga	Gorton		
Heflin	D'Amato	McClure	Byrd	Melcher	Hatfield		
Hollings	Danforth	McConnell	Cranston	Metzenbaum	Mathias		
Johnston	Denton	Murkowski	DeConcini	Mitchell	Packwood		
Long	Dole	Nickles	Dodd	Moynihan	Specter		
Nunn	Domenici	Pressler	Eagleton	Pell	Stafford		
Stennis	East	Quayle	Exon	Proxmire	Weicker		
	Garn	Roth	Ford	Pryor			
	Goldwater	Rudman	Glenn	Riegle			
	Gramm	Simpson	Gore	Rockefeller			
	Grassley	Stevens	Harkin	Sarbanes			
	Hatch	Symms	Hart	Sasser			
	Hawkins	Thurmond	Inouye	Simon			
	Hecht	Trible	Kennedy	Zorinsky			
	Heinz	Wallop					
	Helms	Warner					
	Humphrey	Wilson					

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 77%
Republicans— 79%

Measure of Party Support on Issue as Voted on

For (53)
Democrats— 11 or 21%
Republicans— 42 or 79%

Against (47)
Democrats— 36 or 77%
Republicans— 11 or 23%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

the U.S. from its allies in Central America and elsewhere. U.S. support of the Contra military leadership allows the Sandinistas to pose as defenders of their nation against U.S. oppression and strengthens their control on Nicaragua. It also puts Soviet and Cuban involvement in a much better light to Nicaraguans. With regard to accountability for the use of these funds, GAO has stated that there is no way to detect if U.S. humanitarian funds have been used in the past for their intended purposes. Although the ongoing Contadora talks have not been fruitful yet, that does not mean they will not be successful. On January 12, 1986, Argentina, Brazil, Peru, and Uraguay joined the four Contadora nations to sign the Carabadella message that reaffirms the belief that peace and positive change in Nicaragua must come through regional cooperation and direct talks between the U.S. and the Sandinistas. However, President Reagan refuses to negotiate unless the Sandinistas negotiate first with the Contras—a precondition designed to prevent bilateral talks. The U.S. policy of arming the Contras will never advance the goals of peace, but a negotiated settlement would. After more than five years and considerably more than $100 million in aid to the Contras, there is little evidence that the Contras have been able to gain the support of the people, despite their discontent with the current Sandinista government. Some compared this pattern of incrementally increasing aid and support to the well established pattern of the Vietnam conflict. They termed the Administration's proposal altogether inadequate to its declared objectives and, accordingly, a formula for failure.

SENATE VOTING RECORD

NO. 53

99th Congress
2nd Session

April 9, 1986, 3:28 p.m.
Temp. Cong. Rec. p. S-3937

NATIONAL AND DULLES AIRPORTS TRANSFER

BILL NO.: S. 1017

AMENDMENT NO.: 1734

SUBJECT: Trible motion to table the Lautenberg, et al, amendment expressing the sense of the Senate that the Executive Branch should: (1) use the quickest and most cost-effective means to return the air traffic control system to past experience personnel levels; (2) rehire, as new employees, the air traffic controllers fired from the FAA in 1981, who meet Federal civil service standards; and (3) insure that no involuntary displacement of existing FAA personnel results from rehiring former controllers.

NOTE: Proponents of the amendment asserted that the combination of increased air traffic and the failure of the air traffic control system to keep pace with that traffic has seriously eroded the margin of safety in U.S. skies. This amendment would help to rectify this problem by allowing the selective rehiring of previously terminated air traffic controllers who have been denied employment in the Federal Aviation Administration since the 1981 strike. It does not suggest that all of those who struck be granted amnesty and returned to work at the expense of those currently in the system. It merely would allow some of those now excluded from the system to apply for positions and give the Office of Personnel Management the discretion to discriminate between those who led the strike in 1981 and those who only followed their union leaders. It is wrong to exclude any pool of talent in this highly specialized field in the effort to address a serious national aviation safety problem where there are currently only 8,300 full-performance level controllers compared to 13,000 in 1981. Clerical personnel are being counted to up the total and to make the public think there are 14,000 controllers.

Opponents of the amendment claimed that it would interject further tension and pressure into the air traffic controller system and send the wrong message to the union. It might solve the problem in the short-term, but in the long run, it does not address the shortage of skilled air traffic controllers in the U.S.

S. 1017: Vote Nos. 43, 44, 53-65.

RESULT: MOTION TO TABLE AGREED TO

YEAS (57)

Democrats (12 or 26%)	Republicans (45 or 90%)	
Boren	Abdnor	Kassebaum
Bumpers	Andrews	Kasten
Chiles	Armstrong	Laxalt
DeConcini	Boschwitz	Lugar
Exon	Chafee	Mattingly
Ford	Cochran	McClure
Heflin	Cohen	McConnell
Long	Danforth	Murkowski
Nunn	Denton	Nickles
Pryor	Dole	Packwood
Stennis	Domenici	Pressler
Zorinsky	Durenberger	Quayle
	East	Roth
	Evans	Rudman
	Garn	Simpson
	Gorton	Stevens
	Gramm	Symms
	Grassley	Thurmond
	Hatch	Trible
	Hecht	Wallop
	Heinz	Warner
	Helms	Wilson
	Humphrey	

NAYS (39)

Democrats (34 or 74%)		Republicans (5 or 10%)
Baucus	Kennedy	D'Amato
Bentsen	Kerry	Hatfield
Biden	Lautenberg	Mathias
Bingaman	Leahy	Specter
Bradley	Levin	Weicker
Burdick	Matsunaga	
Byrd	Melcher	
Cranston	Metzenbaum	
Dixon	Mitchell	
Dodd	Moynihan	
Glenn	Pell	
Gore	Proxmire	
Harkin	Riegle	
Hart	Rockefeller	
Hollings	Sarbanes	
Inouye	Sasser	
Johnston	Simon	

NOT VOTING (4)

Democrats (1)	Republicans (3)
Eagleton—2	Goldwater—2
	Hawkins—2
	Stafford—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 74%
Republicans— 90%

Measure of Party Support on Issue as Voted on

For (57)
Democrats— 12 or 21%
Republicans— 45 or 79%

Against (39)
Democrats— 34 or 87%
Republicans— 5 or 13%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

99th Congress
2nd Session

NO. 67

April 16, 1986, 11:40 a.m.
Temp. Cong. Rec. p. S-4335

HOBBS ACT AMENDMENTS (CLOTURE)

BILL NO.: S. 1774

SUBJECT: Dole, et al, motion to close further debate on the Dole motion to proceed to consideration of the bill which nullifies the Supreme Court's decision in *U.S.* v. *Enmons* so as to make the Hobbs Act apply to violence on a picket line; makes the fact that violence was incidental to picketing, in any situation where this was the case, an absolute bar to prosecution; and adds language specifying that this bill does not intend to have a chilling effect on legitimate labor activity by authorizing Federal prosecution for offenses during a labor dispute which do not involve extortion, nor does it exclude Federal jurisdiction over offenses on the ground that the conduct is also a violation of State or local law or involves force, violence, or fear of force or violence during the course of a legitimate business or labor dispute.

NOTE: The cloture petition, presented on April 14, 1986, was signed by Senators Dole, Helms, Wallop, Humphrey, Laxalt, Nickels, Mattingly, Gramm, Symms, Cochran, Denton, Simpson, Grassley, Garn, McConnell, and Hatch.

(OVER)

S. 1774: Vote No. 67.

RESULT: CLOTURE MOTION REJECTED, 3/5THS NOT HAVING VOTED IN THE AFFIRMATIVE

YEAS (44)

Democrats (8 or 17%)

Bentsen
Boren
Bumpers
Chiles
DeConcini
Pell
Pryor
Zorinsky

Republicans (36 or 71%)

Abdnor
Armstrong
Boschwitz
Chafee
Cochran
Cohen
Denton
Dole
Domenici
East
Garn
Gramm
Grassley
Hatch
Hecht
Helms
Humphrey
Kassebaum
Kasten
Laxalt
Lugar
Mattingly
McClure
McConnell
Nickles
Pressler
Quayle
Roth
Rudman
Simpson
Symms
Thurmond
Trible
Wallop
Warner
Wilson

NAYS (54)

Democrats (39 or 83%)

Baucus
Biden
Bingaman
Bradley
Burdick
Byrd
Cranston
Dixon
Dodd
Eagleton
Exon
Ford
Glenn
Gore
Harkin
Hart
Heflin
Hollings
Inouye
Johnston
Kennedy
Kerry
Lautenberg
Leahy
Levin
Long
Matsunaga
Melcher
Metzenbaum
Mitchell
Moynihan
Nunn
Proxmire
Riegle
Rockefeller
Sarbanes
Sasser
Simon
Stennis

Republicans (15 or 29%)

Andrews
D'Amato
Danforth
Durenberger
Evans
Gorton
Hatfield
Heinz
Mathias
Murkowski
Packwood
Specter
Stafford
Stevens
Weicker

NOT VOTING (2)

Democrats (0)

Republicans (2)

Goldwater—3
Hawkins—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—83%
Republicans—71%

Measure of Party Support on Issue as Voted on

For (44)
Democrats—8 or 18%
Republicans—36 or 82%

Against (54)
Democrats—39 or 72%
Republicans—15 or 28%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

BACKGROUND

The Hobbs Act, commonly referred to as the Federal extortion statute, provides strong criminal penalties (up to 20 years imprisonment, $10,000 fine, or both) for anyone who "obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion . . . or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section . . . ." Under the Hobbs Act "extortion" is defined as "the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right."

In 1973, the Supreme Court ruled in *U.S.* v. *Enmons*, 410 U.S. 396, that the Hobbs Act was not intended to apply to violence committed during a lawful strike for the purpose of achieving legitimate collective bargaining objectives such as higher wages.

This bill is the same as other legislation (S. 300) which was defeated by the Judiciary Committee last September. The following month, it was introduced and placed on the Calendar without being referred to committee.

SENATE VOTING RECORD

NO. 78

99th Congress
2nd Session

April 24, 1986, 2:35 p.m.
Temp. Cong. Rec. p. S-4820

FIRST BUDGET RESOLUTION, FY 1987

BILL NO.: S. Con. Res. 120 AMENDMENT NO.: 1800

SUBJECT: **Domenici motion to table the Moynihan-Sasser-Byrd, et al, amendment which provides $4.6 billion per year (full funding) through 1989 for general revenue sharing if legislation is enacted into law which reauthorizes the program and increases revenues sufficient to fund the program.** (The Committee resolution provides $1.8 billion for FY 1987 revenue sharing, if it is reauthorized and sufficient revenues are raised to pay for it, but provides no revenue sharing in FY 1988 or 1989.)

NOTE: Proponents of the amendment asserted that the general revenue sharing program is one of the most successful and most efficient Federal-local partnership programs ever devised. Not only does revenue sharing help local communities provide essential services, such as law enforcement, fire protection, education, health programs, and many others, but less than two-tenths of one percent of its funds is used to administer the program. They noted the immense pressure placed upon local governments resulting from the 23.5 percent decrease in Federal grants to State and local governments since 1981. In addition, they pointed out that the virtual elimination of revenue sharing comes at a time when the Administration also desires to eliminate the deductibility of State and local taxes from the Federal income tax and limit the use of tax-exempt funds. It would be impossible for State and local governments to compensate for these losses, and the burden would ultimately fall on the taxpayer. This amendment would not increase the deficit because it directs the Senate Finance Committee to reauthorize revenue sharing at a level which is commensurate with the amount of revenue that can be "reasonably" raised.

Opponents of the amendment declared that it would create a paradox for the Federal government. On the one hand, the Finance Committee might do nothing to comply with this amendment; on the other hand, it could mandate a tax increase that would add substantially to Federal spending. It would be impossible to pass this amendment within the budget constraints set for this year without causing an offsetting decrease in another program or an increase in Federal taxes. Its enactment could possibly cause across-the-board cuts to be triggered in order to bring the budget into compliance with Gramm-Rudman-Hollings. Even though revenue sharing has been successful, dozens of other Federal programs merit financing more than it, and local and State governments should be able to finance these essential programs themselves by now.

S. Con. Res. 120: Vote Nos. 76-89.

RESULT: **MOTION TO TABLE AGREED TO**

YEAS (54)

Democrats (14 or 30%)	Republicans (40 or 82%)	
Baucus	Armstrong	Laxalt
Bentsen	Boschwitz	Lugar
Boren	Chafee	Mattingly
Chiles	Cochran	McClure
Cranston	Cohen	McConnell
Dodd	Danforth	Nickles
Eagleton	Denton	Packwood
Exon	Dole	Pressler
Kennedy	Domenici	Quayle
Mitchell	East	Roth
Nunn	Garn	Rudman
Pell	Goldwater	Simpson
Proxmire	Gorton	Stafford
Stennis	Gramm	Stevens
	Grassley	Thurmond
	Hatfield	Trible
	Hecht	Wallop
	Helms	Warner
	Humphrey	Weicker
	Kassebaum	Wilson

NAYS (41)

Democrats (32 or 70%)		Republicans (9 or 18%)
Biden	Johnston	Abdnor
Bingaman	Kerry	Andrews
Bradley	Lautenberg	D'Amato
Bumpers	Leahy	Durenberger
Burdick	Levin	Hatch
Byrd	Long	Heinz
DeConcini	Matsunaga	Kasten
Dixon	Metzenbaum	Murkowski
Ford	Moynihan	Specter
Glenn	Pryor	
Gore	Riegle	
Harkin	Rockefeller	
Hart	Sarbanes	
Heflin	Sasser	
Hollings	Simon	
Inouye	Zorinsky	

NOT VOTING (5)

Democrats (1)	Republicans (4)
Melcher—4	Evans—2
	Hawkins—2AN
	Mathias—1
	Symms—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 70%
Republicans— 82%

Measure of Party Support on Issue as Voted on

For (54)
Democrats— 14 or 26%
Republicans— 40 or 74%

Against (41)
Democrats— 32 or 78%
Republicans— 9 or 22%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 79

99th Congress
2nd Session

April 24, 1986, 3:08 p.m.
Temp. Cong. Rec. p. S-4822

FIRST BUDGET RESOLUTION, FY 1987

BILL NO.: S. Con. Res. 120

AMENDMENT NO.: 1801

SUBJECT: **Domenici motion to table the Metzenbaum-Sarbanes-Bumpers amendment which provides a total increase of $200 million over three years in Health Function 550 to be used as follows: $75 million each for Women, Infants, and Children (WIC) feeding and Maternal and Child Health, and $25 million each for child immunization and community mental health centers; and offsets this additional funding by an equivalent increase in general revenues.**

VOTE: Proponents of the amendment emphasized that funding of these programs is essential as they form the front line in the battle against infant mortality, low birth weight, and childhood disease. This child health funding is an investment—not a cost—of $200 million over the next three years that will save anywhere from $600 million to a billion dollars, because it will result in healthier children at birth. It, too, will help reduce an appallingly high infant mortality rate in the U.S., which ranks 16th among all nations. This amendment will purchase a complete immunization series for an additional one-half million infants, toddlers, and pre-schoolers. It will ensure food supplements for an additional 150,000 pregnant women and their infants and children. Certainly, there are corporate tax loopholes that could be closed that would cover this health care need.

Opponents of the amendment pointed out that the health function is already $74 million above the 1986 level. They contended that there is sufficient money in the resolution for the appropriators to take steps to deal with adequate funding for these worthwhile programs. So it is not necessary to add $200 million more to these discretionary programs and require $200 million more in taxes on the American people. If we do not get the budget on target, sequestering will devastate these programs. This budget resolution, however, leaves more than enough room to make up the cuts in effect and return the programs to their authorized level.

S. Con. Res. 120: Vote Nos. 76-89.

RESULT: **MOTION TO TABLE AGREED TO**

YEAS (56)

Democrats (13 or 28%)	Republicans (43 or 88%)	
Bentsen	Abdnor	Kasten
Bingaman	Armstrong	Laxalt
Boren	Boschwitz	Lugar
Chiles	Cochran	Mattingly
Eagleton	Danforth	McClure
Exon	Denton	McConnell
Heflin	Dole	Murkowski
Hollings	Domenici	Nickles
Johnston	Durenberger	Packwood
Nunn	East	Pressler
Proxmire	Garn	Quayle
Stennis	Goldwater	Roth
Zorinsky	Gorton	Rudman
	Gramm	Simpson
	Grassley	Stafford
	Hatch	Stevens
	Hatfield	Thurmond
	Hecht	Trible
	Heinz	Wallop
	Helms	Warner
	Humphrey	Wilson
	Kassebaum	

NAYS (40)

Democrats (34 or 72%)		Republicans (6 or 12%)
Baucus	Kerry	Andrews
Biden	Lautenberg	Chafee
Bradley	Leahy	Cohen
Bumpers	Levin	D'Amato
Burdick	Long	Specter
Byrd	Matsunaga	Weicker
Cranston	Melcher	
DeConcini	Metzenbaum	
Dixon	Mitchell	
Dodd	Moynihan	
Ford	Pell	
Glenn	Pryor	
Gore	Riegle	
Harkin	Rockefeller	
Hart	Sarbanes	
Inouye	Sasser	
Kennedy	Simon	

NOT VOTING (4)

Democrats (0)	Republicans (4)
	Evans—2
	Hawkins—2AN
	Mathias—1
	Symms—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion	Measure of Party Support on Issue as Voted on	
	For (56)	*Against* (40)
Democrats— 72%	Democrats— 13 or 23%	Democrats— 34 or 85%
Republicans— 88%	Republicans— 43 or 77%	Republicans— 6 or 15%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 80

99th Congress
2nd Session

April 24, 1986, 4:27 p.m.
Temp. Cong. Rec. p. S-4827

FIRST BUDGET RESOLUTION, FY 1987

BILL NO.: S. Con. Res. 120

AMENDMENT NO.: 1802

SUBJECT: **Lugar motion to table the Bumpers amendment which increases the Health Function 550 by $25 million for childhood immunization for FY 1987 and offsets this increase by an equivalent reduction in the International Affairs Function 150 which would amount to a 0.14 percent reduction in budget authority for International Affairs.**

NOTE: Proponents of the amendment stated that the childhood immunization program has one of the highest benefit-cost ratios of any Federal program and deserves additional funding. The benefit-cost ratio is $10.30 to $1 for the polio vaccine and $23 to $1 for the rubella/measles vaccines—a combined savings of $1.5 billion on these two immunizations alone. While the amendment is not binding, it would send a message to the Appropriations Committee that the Senate wants full funding for childhood immunization programs and recommends the transferral of a miniscule amount of foreign aid funds in order to finance the increase. The Budget Committee has cut approximately 11 percent from the Function 150 account, but surely an additional $25 million can be found in the remaining $12 to $13 billion to finance this highly beneficial program. Foreign aid is important to the Nation's security, but the health of children should be a national priority as well.

Opponents of the amendment declared that the International Affairs Function includes funds for embassy security, aid to Israel and Egypt, and administration of U.S. base rights agreements with several important allies and should not be an "easy mark" to invade for funds for other programs. The Budget Committee's recommended funding level is more than $5 billion below the Administration's request and further funding reductions will only undermine allied relations, threaten national security, weaken the fight against terrorism, and force the U.S. to renege on its foreign aid obligations. Adoption of this amendment also would invite further raids on the account. Furthermore, the additional $25 million would merely go into the general health account with no assurance that it will ever be appropriated for the childhood immunization program.

S. Con. Res. 120: Vote Nos. 76-89.

RESULT: MOTION TO TABLE AGREED TO

YEAS (49)			NAYS (46)			NOT VOTING (5)	
Democrats (5 or 11%)	Republicans (44 or 90%)		Democrats (41 or 89%)		Republicans (5 or 10%)	Democrats (1)	Republicans (4)
Dixon	Abdnor	Humphrey	Baucus	Hollings	Andrews	Lautenberg—2	Evans—2
Johnston	Armstrong	Kassebaum	Bentsen	Inouye	Cohen		Hawkins—2
Long	Boschwitz	Kasten	Biden	Kennedy	Nickles		Mathias—4
Pell	Chafee	Laxalt	Bingaman	Kerry	Specter		Symms—2
Stennis	Cochran	Lugar	Boren	Leahy	Weicker		
	D'Amato	Mattingly	Bradley	Levin			
	Danforth	McClure	Bumpers	Matsunaga			
	Denton	McConnell	Burdick	Melcher			
	Dole	Murkowski	Byrd	Metzenbaum			
	Domenici	Packwood	Chiles	Mitchell			
	Durenberger	Pressler	Cranston	Moynihan			
	East	Quayle	DeConcini	Nunn			
	Garn	Roth	Dodd	Proxmire			
	Goldwater	Rudman	Eagleton	Pryor			
	Gorton	Simpson	Exon	Riegle			
	Gramm	Stafford	Ford	Rockefeller			
	Grassley	Stevens	Glenn	Sarbanes			
	Hatch	Thurmond	Gore	Sasser			
	Hatfield	Trible	Harkin	Simon			
	Hecht	Wallop	Hart	Zorinsky			
	Heinz	Warner	Heflin				
	Helms	Wilson					

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—89%
Republicans—90%

Measure of Party Support on Issue as Voted on

For (49)
Democrats—5 or 10%
Republicans—44 or 90%

Against (46)
Democrats—41 or 89%
Republicans—5 or 11%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 107

99th Congress
2nd Session

June 3, 1986, 2:39 p.m.
Temp. Cong. Rec. p. S-6536

HIGHER EDUCATION AMENDMENTS

BILL NO.: S. 1965 — AMENDMENT NO.: 1981

TITLE: "Higher Education Amendments of 1986."

SUBJECT: **Bingaman, et al. modified amendment to authorize the establishment of a Future Teacher Training Corps Fellowship program which would encourage individuals to enter teaching in subject areas suffering teacher shortages by providing grants to States for 5,000 graduate fellowships of up to $5,000 each to be awarded to outstanding individuals interested in elementary and secondary school teaching careers in geographic areas and/or subject fields where a teacher shortage exists.**

NOTE: Proponents stated that the amendment would help avert a very serious teacher shortage in the future which has been predicted by the Carnegie Forum and alluded to in several other recent reports. While the amendment would not solve one fundamental problem—low pay—it would help bring persons into teaching and keep them there long enough for States and localities to upgrade salaries and make the profession more attractive. Adoption of this amendment would make it clear that the Senate intends to deal with problems faced by the Nation's teachers.

Opponents claimed the amendment would do very little to prevent a future teacher shortage. It would add approximately $25 million in new funding to title V of the bill, which, as reported out of Committee, repeals all programs except those currently funded under title V. The Education Subcommittee agreed to repeal programs which are not funded because they have not been successful enough, they contended, to merit any funding by the full Committee for the past five years. The proposals in this amendment simply would not take care of the problems of low pay and difficult working conditions faced by teachers nationwide, nor would it abate the loss of many talented teachers turning to jobs in industry where they can earn more money.

S. 1965: Vote Nos. 107-110.

RESULT: AMENDMENT REJECTED

YEAS (37)

Democrats (34 or 79%)		Republicans (3 or 6%)
Baucus	Hollings	D'Amato
Bentsen	Inouye	Hawkins
Biden	Johnston	Specter
Bingaman	Kennedy	
Boren	Levin	
Bradley	Matsunaga	
Burdick	Melcher	
Byrd	Metzenbaum	
Chiles	Mitchell	
Cranston	Moynihan	
DeConcini	Nunn	
Dodd	Riegle	
Eagleton	Rockefeller	
Ford	Sarbanes	
Glenn	Sasser	
Gore	Simon	
Hart	Stennis	

NAYS (57)

Democrats (9 or 21%)	Republicans (48 or 94%)		
Bumpers	Andrews	Kasten	
Dixon	Armstrong	Laxalt	
Exon	Boschwitz	Lugar	
Lautenberg	Chafee	Mathias	
Leahy	Cochran	Mattingly	
Long	Cohen	McClure	
Pell	Danforth	McConnell	
Proxmire	Dole	Murkowski	
Zorinsky	Domenici	Nickles	
	Durenberger	Packwood	
	East	Pressler	
	Evans	Quayle	
	Garn	Roth	
	Goldwater	Rudman	
	Gorton	Simpson	
	Gramm	Stafford	
	Grassley	Stevens	
	Hatch	Symms	
	Hatfield	Thurmond	
	Hecht	Trible	
	Heinz	Wallop	
	Helms	Warner	
	Humphrey	Weicker	
	Kassebaum	Wilson	

NOT VOTING (6)

Democrats (4)	Republicans (2)
Harkin—2	Abdnor—2AN
Heflin—2	Denton—2
Kerry—2	
Pryor—2	

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—79%
Republicans—94%

Measure of Party Support on Issue as Voted on

For (37)
Democrats—34 or 92%
Republicans—3 or 8%

Against (57)
Democrats—9 or 16%
Republicans—48 or 84%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 108

99th Congress
2nd Session

June 3, 1986, 6:17 p.m.
Temp. Cong. Rec. p. S-6569

HIGHER EDUCATION AMENDMENTS

BILL NO.: S. 1965 **AMENDMENT NO.:** 1993

TITLE: "Higher Education Amendments of 1986."

SUBJECT: **Helms motion to table the Helms amendment which prohibits the courts from issuing any writ ordering a student to be transported to a public school other than the one closest to the student's residence and authorizes the Attorney General to institute a civil action in any District Court on behalf of those who believe their children are being bused in violation of these provisions.** (Subsequently, the amendment was withdrawn.)

NOTE: Proponents of the amendment maintained that it would restore the neighborhood school to its rightful place in American public education by taking Federal judges out of the business of running local school systems. A similar amendment was approved by the Senate in 1982 by a vote of 58 to 38 (Vote No. 2). Recent polls indicate that a majority of parents, both black and white, do not want forced busing. This measure would save millions of dollars now being wasted on forced busing. The language in the amendment is not perfect, proponents claimed, but it is a helpful first step in ridding the public school system of the disruptive effects of an experiment which has not worked.

Opponents of the amendment asserted that the issue is not "forced" busing, but rather the independence of the third branch of American government, the judicial system. The amendment would establish a dangerous precedent that would allow Congress, through removal of jurisdiction, to strip the Federal courts of their constitutional directive, thus nullifying the basic law of the land established since Marbury v. Madison that the Supreme Court has the power to decide which laws are constitutional. If this happens, there would be no constitutional issue, including freedom of speech or religion or any of the fundamental rights embodied in the Constitution and the Bill of Rights, that Congress could not control simply by removing the jurisdiction of the Federal courts. Others noted that the sponsor of this amendment also has moved to table his amendment, showing that he acts for political reasons on an emotionally charged issue. Obviously, his intent is not that it become law. He says he will withdraw the amendment if it is not tabled. Forced busing is not popular in many quarters, but it is an option that has worked in many places and one that should not be shut off entirely.

S. 1965: Vote Nos. 107-110.

RESULT: **MOTION TO TABLE FAILED**

YEAS (45)			NAYS (50)			NOT VOTING (5)	
Democrats (30 or 70%)		Republicans (15 or 29%)	Democrats (13 or 30%)	Republicans (37 or 71%)		Democrats (4)	Republicans (1)
Baucus	Kerry	Boschwitz	Bentsen	Andrews	Kasten	Biden—2	Abdnor—2
Bingaman	Lautenberg	Chafee	Boren	Armstrong	Laxalt	Harkin—2	
Bradley	Leahy	Cohen	Chiles	Cochran	Mattingly	Kennedy—2	
Bumpers	Levin	Durenberger	DeConcini	D'Amato	McClure	Pryor—2	
Burdick	Matsunaga	Evans	Exon	Danforth	McConnell		
Byrd	Melcher	Gorton	Ford	Denton	Murkowski		
Cranston	Metzenbaum	Hatfield	Hollings	Dole	Nickles		
Dixon	Mitchell	Heinz	Johnston	Domenici	Pressler	EXPLANATION OF ABSENCE:	
Dodd	Moynihan	Lugar	Long	East	Quayle	1—Official Business	
Eagleton	Pell	Mathias	Nunn	Garn	Roth	2—Necessarily Absent	
Glenn	Riegle	Packwood	Proxmire	Goldwater	Simpson	3—Illness	
Gore	Rockefeller	Rudman	Sasser	Gramm	Stevens	4—Other	
Hart	Sarbanes	Specter	Zorinsky	Grassley	Symms	SYMBOLS:	
Heflin	Simon	Stafford		Hatch	Thurmond	AY—Announced Yea	
Inouye	Stennis	Weicker		Hawkins	Trible	AN—Announced Nay	
				Hecht	Wallop	PY—Paired Yea	
				Helms	Warner	PN—Paired Nay	
				Humphrey	Wilson		
				Kassebaum			

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 70%
Republicans— 71%

Measure of Party Support on Issue as Voted on

For (45)
Democrats— 30 or 67%
Republicans— 15 or 33%

Against (50)
Democrats— 13 or 26%
Republicans— 37 or 74%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 109

99th Congress
2nd Session

June 3, 1986, 7:39 p.m.
Temp. Cong. Rec. p. S-6581

HIGHER EDUCATION AMENDMENTS

BILL NO.: S. 1965 AMENDMENT NO.: 2005

TITLE: "Higher Education Amendments of 1986."

SUBJECT: **Dole-Pell substitute amendment (to the Stafford amendment) which sets the maximum Pell Grant award in FY 1987 at $2,300 (the House-passed level), instead of $2,400 (as reported), and sets the maximum increase per year at $200 through FY 1991; reduces from 3.25 percent to three percent the special allowance payment to banks that participate in the Guaranteed Student Loan Program; and tightens the definition of "independent students."**

NOTE: Proponents of the substitute amendment stated that the realities of the deficit and budgetary straits demand that costs be cut. Lowering the Pell Grant maximum to the House-passed level is acceptable to the higher education community and is still $200 greater than current law. Reducing the special allowance from 3.25 to three percent ensures that the maximum benefit of this legislation will be directed to students as well as banks. This amendment represents changes to the education bill requested by the Administration and, if adopted, would guarantee the President's support.

Opponents of the substitute amendment claimed that lowering the maximum Pell Grant discourages low-income students who already find higher education practically unattainable because of soaring college costs. One hundred dollars may not sound like much to the Senate, but to families earning under $15,000 yearly, it is a very important matter. Pell Grants have brought hope to millions of low-income families seeking a better life through education for their children. It is petty and insensitive for the Administration to slash the one education program that serves a majority of low-income families, who, once again, are being called upon to bear the sacrifices of misguided budget priorities. This amendment is an unfortunate step backward in an attempt to do more, not less, to expand opportunities for higher education.

S. 1965: Vote Nos. 107-110.

RESULT: AMENDMENT AGREED TO

YEAS (60)			NAYS (34)			NOT VOTING (6)	
Democrats (10 or 24%)	Republicans (50 or 96%)		Democrats (32 or 76%)		Republicans (2 or 4%)	Democrats (5)	Republicans (1)
Bentsen	Andrews	Humphrey	Baucus	Heflin	Specter	Biden—2	Abdnor—2AY
Chiles	Armstrong	Kassebaum	Bingaman	Inouye	Weicker	Bradley—2	
Hollings	Boschwitz	Kasten	Boren	Johnston		Harkin—2	
Leahy	Chafee	Laxalt	Bumpers	Kerry		Kennedy—2	
Levin	Cochran	Lugar	Burdick	Lautenberg		Pryor—2	
Mitchell	Cohen	Mathias	Byrd	Long			
Nunn	D'Amato	Mattingly	Cranston	Matsunaga			
Pell	Danforth	McClure	DeConcini	Melcher			
Proxmire	Denton	McConnell	Dixon	Metzenbaum			
Zorinsky	Dole	Murkowski	Dodd	Moynihan			
	Domenici	Nickles	Eagleton	Riegle			
	Durenberger	Packwood	Exon	Rockefeller			
	East	Pressler	Ford	Sarbanes			
	Evans	Quayle	Glenn	Sasser			
	Garn	Roth	Gore	Simon			
	Goldwater	Rudman	Hart	Stennis			
	Gorton	Simpson					
	Gramm	Stafford					
	Grassley	Stevens					
	Hatch	Symms					
	Hatfield	Thurmond					
	Hawkins	Trible					
	Hecht	Wallop					
	Heinz	Warner					
	Helms	Wilson					

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—76%
Republicans—96%

Measure of Party Support on Issue as Voted on

For (60)
Democrats—10 or 17%
Republicans—50 or 83%

Against (34)
Democrats—32 or 94%
Republicans—2 or 6%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 118

99th Congress
2nd Session

June 6, 1986, 11:58 a.m.
Cong. Rec. p. S-6985

SUPPLEMENTAL APPROPRIATIONS, FY 1986

BILL NO.: H.R. 4515 AMENDMENT NO.: 2039

TITLE: "Urgent Supplemental Appropriations Act, 1986."

SUBJECT: **Johnston motion to waive section 401 of the Budget Act (which prohibits consideration of any new entitlement that would become effective before October 1 of the impending fiscal year) with respect to the Johnston, et al, amendment which would amend the Trade Act of 1974 to make workers and firms that supply parts and services for the oil and gas industry eligible for trade adjustment assistance.** (Subsequently, the amendment was agreed to by voice vote.)

NOTE: Proponents of the amendment (voting yea) stated that workers in the oil industry are as vulnerable to dislocation resulting from unfair trade practices as employees in other sectors of the economy. The doubling of oil production by Saudi Arabia, from 2.2 million barrels a day to between 4.5 and 6 million barrels, has caused prices to plummet 50 to 60 percent in four months, resulting in increased imported oil and in the U.S. and the loss of thousands of American jobs. This amendment would provide 26 weeks of unemployment compensation and retraining funds to help these workers find new jobs—costing a total of $44 million in FY 1987, and would help implement the goal of the resolution the Senate adopted earlier stating that the White House should try to alleviate the suffering in this sector of the economy.

Opponents of the amendment (voting nay) claimed that the issue is not whether the assistance is needed, but whether it should be addressed by this program. There is nothing in present law restricting an oilfield worker from applying for TAA. However, this amendment countermands the current limitations on the program by: (1) lifting its budgetary restraints under the Budget Act; (2) extending assistance, which is presently available only to those immediately affected by imports, to secondary industries; and (3) allowing Congress, not the Department of Labor, to decide who receives assistance. Designating industries through legislation to be covered by the Act is a bad practice; if Congress can select industries one at a time for special treatment, the cost of the program will get out of control. This type of action will lead to runaway deficits and soaring interest rates. Finally, adjustment assistance and retraining programs have been of questionable success in the past.

H.R. 4515: Vote Nos. 105, 112-123, 153, 154.

RESULT: MOTION TO WAIVE BUDGET ACT AGREED TO

YEAS (55)			NAYS (40)			NOT VOTING (5)	
Democrats (40 or 89%)		Republicans (15 or 30%)	Democrats (5 or 11%)	Republicans (35 or 70%)		Democrats (2)	Republicans (3)
Baucus	Kennedy	Abdnor	Cranston	Boschwitz	Kassebaum	Eagleton—2	Armstrong—2
Bentsen	Kerry	Andrews	Exon	Chafee	Kasten	Inouye—2	Hawkins—2
Biden	Lautenberg	D'Amato	Hollings	Cochran	Lugar		Mathias—2
Bingaman	Leahy	Denton	Proxmire	Cohen	Mattingly		
Boren	Levin	Domenici	Zorinsky	Danforth	McConnell		
Bradley	Long	Hatfield		Dole	Packwood		
Bumpers	Matsunaga	Heinz		Durenberger	Pressler	EXPLANATION OF ABSENCE:	
Burdick	Melcher	Lugar		East	Quayle	1—Official Business	
Byrd	Metzenbaum	McClure		Evans	Roth	2—Necessarily Absent	
Chiles	Mitchell	Murkowski		Garn	Rudman	3—Illness	
DeConcini	Moynihan	Nickles		Goldwater	Stafford	4—Other	
Dixon	Nunn	Simpson		Gorton	Symms		
Dodd	Pell	Specter		Gramm	Trible	SYMBOLS:	
Ford	Pryor	Stevens		Grassley	Wallop	AY—Announced Yea	
Glenn	Riegle	Thurmond		Hatch	Warner	AN—Announced Nay	
Gore	Rockefeller			Hecht	Weicker	PY—Paired Yea	
Harkin	Sarbanes			Helms	Wilson	PN—Paired Nay	
Hart	Sasser			Humphrey			
Heflin	Simon						
Johnston	Stennis						

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—89%
Republicans—70%

Measure of Party Support on Issue as Voted on

For (55)
Democrats—40 or 73%
Republicans—15 or 27%

Against (40)
Democrats—5 or 12.5%
Republicans—35 or 87.5%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 120

99th Congress
2nd Session

June 6, 1986, 3:31 p.m.
Temp.)Cong. Rec. p. S-7007

SUPPLEMENTAL APPROPRIATIONS, FY 1986

BILL NO.: H.R. 4515 AMENDMENT NO.: 2048

TITLE: "Urgent Supplemental Appropriations Act, 1986."

SUBJECT: **Hatfield motion to table the Exon, et al, amendment to prohibit the use of funds appropriated under this Act to implement Federal Energy Regulatory Commission regulations which would raise the price of old natural gas.**

NOTE: Proponents of the amendment contended that FERC is attempting to circumvent Congress and deregulate old natural gas by proposing to issue a rule that would raise ceiling prices at the wellhead. Old gas prices could rise to $2.57 per 1,000 cubic feet, while current spot prices for new gas are $1.50. Since old gas is regulated and not subject to free market pressures, the higher cost would be passed directly to consumers who each would pay an additional $50 to $85 per year. FERC is trying to accomplish through regulation what Congress voted against doing in legislation. In addition, the rule will neither increase the supply of natural gas nor address market distortions that exist as a result of take-or-pay contracts for new gas that were signed on the basis of the 1978 price contracts and projected supplies, when the price of new gas was artificially high. Any action to increase the price of old natural gas that is not connected with costs under the Natural Gas Act must be taken by Congress. Opponents of the amendment claimed that the rule would lower natural gas costs an average of $20 per household, resulting in a nationwide savings of $15 billion. The rule would change Federal wellhead ceiling prices for certain categories of natural gas but would not automatically allow old gas to be sold at the new ceiling under existing contracts. The producer and pipeline would have to renegotiate existing contracts under the terms of the "good-faith negotiation process" established by FERC. Under this process, all gas becomes subject to renegotiation. This would allow pipelines to take advantage of the lower market prices for new gas, resulting in overall savings for the consumer. Since partial decontrol of natural gas in January, 1985, the marketplace has brought spot prices for natural gas down over 50 percent. The proposed FERC rule encourages renegotiation to bring prices in line with market forces. The Gas Policy Act of 1978 gives the authority to increase wellhead ceiling prices if the

(OVER)

H.R. 4515: Vote Nos. 105, 112-123, 153, 154.

RESULT: MOTION TO TABLE AGREED TO

YEAS (48)			NAYS (47)			NOT VOTING (5)	
Democrats (12 or 27%)	Republicans (36 or 72%)		Democrats (33 or 73%)		Republicans (14 or 28%)	Democrats (2)	Republicans (3)
Baucus	Andrews	Mattingly	Biden	Kerry	Abdnor	Eagleton—2AN	Armstrong—2
Bentsen	Cochran	McClure	Bradley	Lautenberg	Boschwitz	Inouye—2	Hawkins—2
Bingaman	D'Amato	McConnell	Bumpers	Leahy	Chafee		Laxalt—2
Boren	Denton	Murkowski	Byrd	Levin	Cohen		
Burdick	Dole	Nickles	Chiles	Metzenbaum	Danforth		
Heflin	Domenici	Packwood	Cranston	Mitchell	Durenberger		
Johnston	East	Quayle	DeConcini	Nunn	Gorton		
Long	Evans	Roth	Dixon	Pell	Grassley		
Matsunaga	Garn	Rudman	Dodd	Proxmire	Kassebaum		
Melcher	Goldwater	Simpson	Exon	Pryor	Kasten		
Moynihan	Gramm	Stevens	Ford	Riegle	Mathias		
Stennis	Hatch	Symms	Glenn	Rockefeller	Pressler		
	Hatfield	Thurmond	Gore	Sarbanes	Specter		
	Hecht	Trible	Harkin	Sasser	Stafford		
	Heinz	Wallop	Hart	Simon			
	Helms	Warner	Hollings	Zorinsky			
	Humphrey	Weicker	Kennedy				
	Lugar	Wilson					

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—73%
Republicans—72%

Measure of Party Support on Issue as Voted on

For (48)
Democrats—12 or 25%
Republicans—36 or 75%

Against (47)
Democrats—33 or 70%
Republicans—14 or 30%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

increase can be shown to be "just and reasonable" within the meaning of the law and if FERC can justify the increase if challenged, in court. FERC's actions are bound by the Administrative Procedure Act, as well as its own rules. Once a rule is issued, there is opportunity for all interested and affected parties to file a petition for a rehearing. If Congress decides the rule is not in the public's interest, it has the right to overturn or modify it by legislation. As a result, FERC could not exceed its power without the public or Congress having ample opportunity to step in and identify any impropriety. It would be premature now for Congress to strike down a proposed rule that has not been issued and for which there would be sufficient time to challenge before it could take effect. The issues surrounding natural gas pricing are complex, and an urgent supplemental appropriations bill is not the place to debate them.

SENATE VOTING RECORD

NO. 122

99th Congress
2nd Session

June 6, 1986, 4:52 p.m.
Temp. Cong. Rec. p. S-7013

SUPPLEMENTAL APPROPRIATIONS, FY 1986

BILL NO.: H.R. 4515

AMENDMENT NO.: 2052

TITLE: "Urgent Supplemental Appropriations Act, 1986."

SUBJECT: **Kennedy question of germaneness of the Kennedy-Kerry amendment to transfer $62 million of unobligated funds from DOD appropriations for Strategic Defense Initiative (SDI) research and development to nutrition programs serving the elderly under the Older Americans and Community Services Block Grant Acts. The question is: "Is it the judgment of the Senate that the amendment is germane to the bill?"**

NOTE: Proponents of the amendment (voting yea) stated that the House-passed bill transferred $62 million from DOD research, development, testing, and evaluation to DOE to accelerate testing of nuclear-powered-directed energy weapons concepts. The Senate Appropriations Committee did not transfer the funds, but left the money in the DOD appropriation. That money should be transferred to nutrition programs under the highly-effective Older Americans Act, where the need for additional funding is evident. According to a Texas survey of participants in Federal food assistance programs for the elderly, 34 percent stated they would go hungry without the programs, and 58 percent said the programs provided the complete meal of the day. The cost of hunger is too high to ignore. Malnutrition increases the risk of serious and prolonged illness, and nursing home care often amounts to "institutionalized neglect, malfeasance, and bedridden death." Considering that the cost of this care is a heavy drain on social resources, it is far more productive to cure malnutrition at the source and make available the food the elderly need. Contrary to the President's claim that people go hungry because they do not know how to obtain help, eligible people are denied access to these programs. Last year, 3.5 million elderly participated in congregate and home-delivered meal programs, and 1.6 million more did not have access to these programs and went hungry. Moreover, hunger in America is growing, and as many as 20 million Americans do not get enough food to eat. This amendment is neither a vote for or against Star Wars. It is an attempt to make constructive use of funds appropriated to DOD that even General Abrahamson "thinks DOD can do without."

Opponents of the amendment (voting nay) made no statements.

H.R. 4515: Vote Nos. 105, 112-123, 153, 154.

RESULT: AMENDMENT NOT GERMANE

YEAS (45)

Democrats (38 or 88%)		Republicans (7 or 14%)
Bauc us	Johnston	Andrews
Bentsen	Kennedy	Cohen
Biden	Kerry	Hatfield
Boren	Leahy	Mathias
Bradley	Levin	Packwood
Bumpers	Long	Specter
Burdick	Matsunaga	Weicker
Byrd	Melcher	
Chiles	Metzenbaum	
Cranston	Mitchell	
DeConcini	Moynihan	
Dixon	Proxmire	
Dodd	Pryor	
Exon	Riegle	
Ford	Rockefeller	
Glenn	Sarbanes	
Gore	Sasser	
Harkin	Simon	
Hart	Zorinsky	

NAYS (47)

Democrats (5 or 12%)	Republicans (42 or 86%)		
Bingaman	Abdnor	Kassebaum	
Heflin	Boschwitz	Kasten	
Hollings	Cochran	Lugar	
Nunn	D'Amato	Mattingly	
Stennis	Danforth	McClure	
	Denton	McConnell	
	Dole	Murkowski	
	Domenici	Nickles	
	Durenberger	Pressler	
	East	Quayle	
	Evans	Roth	
	Garn	Rudman	
	Goldwater	Simpson	
	Gorton	Stafford	
	Gramm	Stevens	
	Grassley	Symms	
	Hatch	Thurmond	
	Hecht	Trible	
	Heinz	Wallop	
	Helms	Warner	
	Humphrey	Wilson	

NOT VOTING (8)

Democrats (4)	Republicans (4)
Eagleton—2	Armstrong—2
Inouye—2	Chafee—2
Lautenberg—2	Hawkins—2
Pell—2	Laxalt—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—88%
Republicans—86%

Measure of Party Support on Issue as Voted on

For (45)
Democrats—38 or 84%
Republicans—7 or 16%

Against (47)
Democrats—5 or 11%
Republicans—42 or 89%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 125

99th Congress
2nd Session

June 11, 1986. 7:20 p.m.
Temp..Cong. Rec. p. S-7292

TAX REFORM

BILL NO.: H.R. 3838 AMENDMENT NO.: 2067

TITLE: "Tax Reform Act of 1986."

SUBJECT: **Packwood motion to table the D'Amato, et al. substitute amendment (for the Dodd-D'Amato amendment No. 2066) which provides a 15 percent tax credit for contributions to individual retirement accounts (IRA's) and pays for the IRA tax credit by increasing the individual and corporate alternative minimum tax from 20 percent to 22.6 percent.** (See also Vote Nos. 124, 126, and 127.)

NOTE: Proponents of the amendment asserted that the preceding sense of the Senate amendment shows strong Senate support of IRA's, but it has no binding effect whatsoever. This substitute amendment provides an equitable means of retaining the IRA benefits. By converting the IRA deduction to a tax credit, its cost would be pared down from $25.5 billion to $14.7 billion. By raising the alternative minimum tax for individuals and corporations, only a very small number who are in a better position to pay would be affected, and it would raise $9 billion over five years from corporations and $6 billion from individuals to pay for the credit. In this way, a taxpayer, regardless of income, would be permitted up to a $300 tax credit. This would benefit middle-income families, who make up the majority of those who invest in IRA's and who have made the strongest appeal to preserve the deduction. If tax deferment, rather than retirement savings, were the main attraction of the IRA, most IRA's would be opened at the beginning of the tax year instead of just prior to April 15, when 50 percent of all IRA's are opened. The tax benefit is instrumental to the ability to contribute to an IRA, and could offset the tax increase in the committee bill that a substantial number of Americans can expect.

Opponents of the amendment contended that the amendment would bring about a staggering increase in the corporate alternative minimum tax. Presently, this tax raises $2.5 billion; under the Committee bill, it would raise $35.5 billion; and under this amendment, it would bring in $45 billion. A tax increase this size is unfair to capital-intensive industries that are already facing strong foreign competition. In order to remain competitive in the international market, such industries would have to lower costs by laying off workers or reducing pay. The amendment will disproportionately favor the rich. Those who earn more get a bigger break from an IRA, saving up to fifty cents on every dollar contributed. The amendment also discriminates against individuals who do not have private pension plans. The average American, they argued, is prepared to sacrifice the IRA deduction in order to obtain the low rates promised in the committee bill.

H.R. 3838: Vote Nos. 124-137, 139-148, 296.

RESULT: **MOTION TO TABLE AGREED TO**

YEAS (51)			NAYS (48)			NOT VOTING (1)	
Democrats (16 or 34%)	Republicans (35 or 67%)		Democrats (31 or 66%)		Republicans (17 or 33%)	Democrats (0)	Republicans (1)
Baucus	Armstrong	Lugar	Bingaman	Inouye	Abdnor		
Bentsen	Boschwitz	Mathias	Bumpers	Kerry	Andrews		
Biden	Chafee	McClure	Burdick	Lautenberg	D'Amato		
Boren	Cochran	McConnell	Byrd	Leahy	Denton		
Bradley	Cohen	Nickles	Chiles	Levin	Domenici		Goldwater—2
Eagleton	Danforth	Packwood	Cranston	Matsunaga	Hatfield		
Hart	Dole	Quayle	DeConcini	Melcher	Hawkins		
Johnston	Durenberger	Roth	Dixon	Metzenbaum	Hecht		
Kennedy	East	Rudman	Dodd	Nunn	Humphrey		
Long	Evans	Simpson	Exon	Pell	Kasten		
Mitchell	Garn	Stafford	Ford	Riegle	Laxalt		
Moynihan	Gorton	Stevens	Glenn	Sarbanes	Mattingly		
Proxmire	Gramm	Symms	Gore	Sasser	Murkowski		
Pryor	Grassley	Thurmond	Harkin	Simon	Pressler		
Rockefeller	Hatch	Trible	Heflin	Zorinsky	Specter		
Stennis	Heinz	Wallop	Hollings		Weicker		
	Helms	Warner			Wilson		
	Kassebaum						

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—66%
Republicans—67%

Measure of Party Support on Issue as Voted on

For (51)
Democrats—16 or 31%
Republicans—35 or 69%

Against (48)
Democrats—31 or 65%
Republicans—17 or 35%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 146

99th Congress
2nd Session

June 24, 1986, 10:21 a.m.
Temp. Cong. Rec. p. S-8209

TAX REFORM

BILL NO.: H.R. 3838 AMENDMENT NO.: 2156

TITLE: "Tax Reform Act of 1986."

SUBJECT: **Packwood motion to table the Melcher motion to waive section 303 of the Budget Act (which prohibits consideration of provisions that affect revenues prior to adoption of a first concurrent budget resolution) to allow consideration of the Melcher, et al, amendment that permits a 30 percent capital gains exclusion for noncorporate farmers, ranchers, and woodlot operators with annual incomes of less than $100,000 and offsets the $600 million cost of this provision by limiting the net operating loss carrybacks for corporations.** (The Joint Committee on Taxation stated that the amendment is revenue neutral. See also Vote No. 139.)

NOTE: Proponents of the amendment noted that capital gains provisions have been part of the Tax Code since 1921 and that a meat-ax approach should not be used to strike it from the books for everyone indiscriminately. This amendment would retain it for farmers and foresters whose income does not exceed $100,000. It is especially needed for those millions of owners of timberland since trees take 20 to 30 years to mature. Changing the rules on capital gains midgame for them will make it difficult if not impossible, to afford to replant the trees they cut. It is urgent to help the farmer who is suffering a terrible crisis and the timber owner who is suffering from unfair subsidized foreign competitors. Certainly, it can be done by utilizing a portion of the $1.6 billion of unintended windfall on the carryback provision of those corporations that share losses. The opportunity to recover from their huge debts should not be taken away from farmers.

Opponents of the amendment noted that farmers have already been given investment tax credit carrybacks not given others, as well as income averaging. Those earning $100,000 are not middle-income but in the upper five percent of income in this country, and the net operating loss provisions were very carefully crafted for balance.

H.R. 3838: Vote Nos. 124-137, 139-148, 296.

RESULT: **MOTION TO TABLE AGREED TO**

YEAS (54)

Democrats (13 or 30%)	Republicans (41 or 82%)	
Biden	Armstrong	Humphrey
Bingaman	Boschwitz	Kassebaum
Boren	Chafee	Kasten
Bradley	Cochran	Laxalt
Eagleton	D'Amato	McConnell
Glenn	Danforth	Murkowski
Hart	Dole	Packwood
Kennedy	Domenici	Quayle
Lautenberg	Durenberger	Roth
Metzenbaum	East	Rudman
Moynihan	Garn	Simpson
Proxmire	Goldwater	Specter
Rockefeller	Gorton	Stafford
	Gramm	Stevens
	Grassley	Symms
	Hatch	Thurmond
	Hatfield	Trible
	Hawkins	Wallop
	Hecht	Warner
	Heinz	Wilson
	Helms	

NAYS (39)

Democrats (30 or 70%)		Republicans (9 or 18%)
Baucus	Hollings	Abdnor
Bentsen	Johnston	Andrews
Bumpers	Leahy	Cohen
Burdick	Levin	Denton
Byrd	Long	Evans
Chiles	Matsunaga	Lugar
Cranston	Melcher	Mathias
DeConcini	Mitchell	Mattingly
Dixon	Pryor	Nickles
Dodd	Riegle	
Exon	Sarbanes	
Ford	Sasser	
Gore	Simon	
Harkin	Stennis	
Heflin	Zorinsky	

NOT VOTING (7)

Democrats (4)	Republicans (3)
Inouye—2	McClure—2
Kerry—2	Pressler—2
Nunn—2AN	Weicker—2
Peil—2AY	

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion	Measure of Party Support on Issue as Voted on	
	For (54)	*Against* (39)
Democrats—70%	Democrats—13 or 24%	Democrats—30 or 77%
Republicans—82%	Republicans—41 or 76%	Republicans—9 or 23%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 147

99th Congress
2nd Session

June 24, 1986, 11:25 a.m.
Temp. Cong. Rec. p. S-8215

TAX REFORM

BILL NO.: H.R. 3838

AMENDMENT NO.: 2133

TITLE: "Tax Reform Act of 1986."

SUBJECT: **Mattingly amendment stating the sense of the Congress that the provisions of the Internal Revenue Code should remain unchanged for at least five years after enactment of this bill in order to provide stability for the American taxpayer and the private sector.**

NOTE: Proponents noted how often the Tax Code has been changed in the last ten years and contended that changing the rules creates instability for decision making in business and personal planning. It works as an inhibition to investment. Major policy changes should be avoided.

While agreeing with the need for stability, opponents stressed that such complex legislation comprising over 1,000 pages may have unknown inequities or unworkable provisions which may need to be modified. The opportunity to do so should be preserved as well as the opportunity to give additional tax cuts to the American people. In addition, ruling the Tax Code off limits as a way to raise revenue for five years would leave Congress with only the option of raising excise taxes as a means of reducing the deficit, and excise taxes are extremely regressive.

H.R. 3838: Vote Nos. 124-137, 139-148, 296.

RESULT: AMENDMENT AGREED TO

YEAS (50)			NAYS (47)			NOT VOTING (3)	
Democrats (12 or 27%)	Republicans (38 or 73%)		Democrats (33 or 73%)		Republicans (14 or 27%)	Democrats (2)	Republicans (1)
Bentsen	Andrews	Laxalt	Baucus	Johnston	Abdnor	Chiles—2	Weicker—2
Boren	Boschwitz	Mathias	Biden	Kennedy	Armstrong	Nunn—2	
Cranston	Chafee	Mattingly	Bingaman	Kerry	Cohen		
DeConcini	Cochran	McClure	Bradley	Lautenberg	D'Amato		
Exon	Denton	McConnell	Bumpers	Levin	Danforth		
Ford	Dole	Murkowski	Burdick	Long	Durenberger	EXPLANATION OF ABSENCE:	
Leahy	Domenici	Nickles	Byrd	Matsunaga	Grassley	1—Official Business	
Melcher	East	Packwood	Dixon	Mitchell	Hawkins	2—Necessarily Absent	
Metzenbaum	Evans	Pressler	Dodd	Moynihan	Hecht	3—Illness	
Pell	Garn	Quayle	Eagleton	Proxmire	Kassebaum	4—Other	
Sasser	Goldwater	Rudman	Glenn	Pryor	Lugar		
Zorinsky	Gorton	Simpson	Gore	Riegle	Roth	SYMBOLS:	
	Gramm	Stafford	Harkin	Rockefeller	Specter	AY—Announced Yea	
	Hatch	Stevens	Hart	Sarbanes	Warner	AN—Announced Nay	
	Hatfield	Symms	Heflin	Simon		PY—Paired Yea	
	Heinz	Thurmond	Hollings	Stennis		PN—Paired Nay	
	Helms	Trible	Inouye				
	Humphrey	Wallop					
	Kasten	Wilson					

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—73%
Republicans—73%

Measure of Party Support on Issue as Voted on

For (50)
Democrats—12 or 24%
Republicans—38 or 76%

Against (47)
Democrats—33 or 70%
Republicans—14 or 30%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

69-213 O - 87 - 5

SENATE VOTING RECORD

NO. 152

99th Congress
2nd Session

June 26, 1986, 1:34 p.m.
Temp. Cong. Rec. p. S-8572

NOMINATION OF DANIEL A. MANION TO BE U.S. CIRCUIT JUDGE

POSITION: U.S. Circuit Judge to the 7th Circuit Court of Appeals

SUBJECT: **Confirmation of the nomination of Daniel A. Manion, of Indiana, to be U.S. Circuit Judge to the 7th Circuit Court of Appeals.** (See Vote No. 162, by which the Senate rejected a motion to reconsider.)

NOTE: The Judiciary Committee voted 11 to 9 to report the nomination, without recommendation, after a vote to report favorably failed by a vote of 9 to 9. In arguing for his nomination, Manion's supporters stated he has the endorsement and respect of those who know him well: legal scholars, university presidents, colleagues, and the Senators of his State. The American Bar Association rated him "qualified." Three nominations each under Presidents Carter and Johnson, they noted, were rated "not qualified" by the ABA, but were approved by the then Democratic-controlled Senate. Manion's level of professional achievement can be measured by the respect he has earned from his peers. Concern has been raised regarding the quality of the five legal briefs he submitted to the Judiciary Committee, but it must be noted that he won all but one of these cases and that one is still pending. Some contended that opposition is based purely on political ideology.

Opponents of the nomination argued that Manion's record does not show he is qualified or competent enough to be a Federal judge. His legal experience does not provide a sufficient background in Federal legal issues: he has never argued a case before a Federal appeals court; the American Bar Association found him him barely qualified, while a minority of the ABA found him not qualified; forty deans of respected law schools have urged his rejection; the legal briefs he submitted are marginal at best; and he has written no scholarly articles by which to judge his qualifications. His supporters claim he will gain sufficient knowledge and experience while he serves, but a Federal court is no place for on-the-job training. Further, Manion's commitment to the Constitution is in doubt. He has shown preference for

(OVER)

Vote Nos. 152, 162.

RESULT: **NOMINATION CONFIRMED (WITH MOTION TO RECONSIDER PENDING)**

ADMINISTRATION POSITION: YEA

YEAS (48)

Democrats (3 or 7%)	Republicans (45 or 92%)	
Byrd	Abdnor	Humphrey
Heflin	Andrews	Kasten
Long	Armstrong	Laxalt
	Boschwitz	Lugar
	Chafee	Mattingly
	Cochran	McClure
	Cohen	McConnell
	D'Amato	Murkowski
	Danforth	Nickles
	Denton	Pressler
	Dole	Quayle
	Domenici	Roth
	Durenberger	Rudman
	East	Simpson
	Garn	Stafford
	Gorton	Stevens
	Gramm	Symms
	Grassley	Thurmond
	Hatch	Trible
	Hatfield	Wallop
	Hecht	Warner
	Heinz	Wilson
	Helms	

NAYS (46)

Democrats (42 or 93%)		Republicans (4 or 8%)
Baucus	Kennedy	Evans
Bentsen	Kerry	Mathias
Bingaman	Lautenberg	Specter
Boren	Leahy	Weicker
Bradley	Levin	
Bumpers	Matsunaga	
Burdick	Melcher	
Chiles	Metzenbaum	
Cranston	Mitchell	
DeConcini	Moynihan	
Dixon	Nunn	
Dodd	Pell	
Eagleton	Proxmire	
Exon	Pryor	
Ford	Riegle	
Glenn	Rockefeller	
Gore	Sarbanes	
Harkin	Sasser	
Hart	Simon	
Hollings	Stennis	
Johnston	Zorinsky	

NOT VOTING (3)

Democrats (0)	Republicans (3)
	Goldwater—2PY
	Hawkins—2PY
	Packwood—2PY

LIVE PAIRS (3)

PRESENT AND GIVING:	RECEIVING:
Biden (PN)	Hawkins (PY)
Inouye (PN)	Packwood (PY)
Kassebaum (PN)	Goldwater (PY)

EXPLANATION OF ABSENCE:

1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:

AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—93%
Republicans—92%

Measure of Party Support on Issue as Voted on

For (48)
Democrats—3 or 6%
Republicans—45 or 94%

Against (46)
Democrats—42 or 91%
Republicans—4 or 9%

Prepared and Compiled by Senate Democratic Policy Committee

Robert C. Byrd, Chairman

"stare decisis," a theory by which States and Federal officials are freed from following the Supreme Court's interpretation of the Constitution; he has gone on record opposing the application of the Bill of Rights to the States, although he stated he would support it since it would be "very difficult to overrule." He has supported the views of the John Birch Society and coauthored legislation while in the Indiana legislature authorizing the display of the Ten Commandments in public schools, despite an earlier Supreme Court ruling making it unconstitutional. While a distinction has been drawn between this legislation authorizing the display, and the Kentucky bill declared unconstitutional that required it, Manion himself could not describe how the two differed, which casts doubt on whether he would be capable of drawing complex distinctions on constitutional issues as an appellate judge. The claim that opposition to his nomination is partisan ignores the 265 judicial nominations the Senate has already approved since the President took office, only five of which required roll call votes.

Senator Robert C. Byrd changed his nay vote to yea in order to be on the prevailing side of the vote (of what at that point was a tie vote of 47 to 47, on which the Vice President could have cast the deciding vote) and qualify to move to reconsider the vote. Almost one month later, a vote did recur on the motion to reconsider the nomination (Vote No. 162).

SENATE VOTING RECORD

NO. 155

99th Congress
2nd Session

July 15, 1986. 4:18 p.m.
Temp. Cong. Rec. p. S-9071

NOMINATION OF TERRENCE M. SCANLON TO BE CHAIRMAN OF CPSC

POSITION: Chairman of the Consumer Product Safety Commission

SUBJECT: **Confirmation of the nomination of Terrence M. Scanlon, of the District of Columbia, to be Chairman of the Consumer Product Safety Commission (CPSC).**

NOTE: Proponents noted that Mr. Scanlon's nomination was favorably reported out of Committee by a 9-7 vote. Mr. Scanlon served with the Minority Business Development Agency, the SBA, and in the White House during the Kennedy and Johnson Administrations and has authored articles concerning the regulation and safety of consumer products. He became a CPSC Commissioner in March 1983 and was nominated as Chairman in December 1984, a position held by recess appointment until December 1985. During his confirmation hearings, serious charges were made against Mr. Scanlon's integrity and reputation. However, these 16 allegations were evaluated by the Committee, GAO, the Justice Department, and a grand jury, and it was determined that criminal prosecution was not warranted. Mr. Scanlon, they asserted, brings a rational and balanced approach to the regulation of consumer products, and further delay of his confirmation will not serve the cause of consumer safety.

Opponents stated that the issue is not Mr. Scanlon's integrity or ability, but rather his longstanding opposition to critical CPSC enforcement activities such as speeding up the recall of hazardous infant squeeze toys and taking prompt corrective action regarding mesh-sided cribs and playpens. He was the only member of the CPSC to oppose cutting back on the presence of cancer-causing elements in infant pacifiers. The CPSC is an independent agency with a vital mandate—to protect the public from unreasonably dangerous products. Mr. Scanlon's consistent opposition to safety measures points to a lack of judgment on his part, and he should not be confirmed.

Vote No. 155.

RESULT: **NOMINATION CONFIRMED**

ADMINISTRATION POSITION: YEA

YEAS (63)			NAYS (33)			NOT VOTING (4)	
Democrats (14 or 30%)	**Republicans (49 or 98%)**		**Democrats (32 or 70%)**		**Republicans (1 or 2%)**	**Democrats (1)**	**Republicans (3)**
Baucus	Abdnor	Humphrey	Bentsen	Johnston	Packwood	Long[4]	Hecht[2]
Boren	Andrews	Kassebaum	Biden	Kennedy			Murkowski[2]
Bumpers	Armstrong	Kasten	Bingaman	Kerry			Symms[2]
DeConcini	Boschwitz	Laxalt	Bradley	Lautenberg			
Dixon	Broyhill	Lugar	Burdick	Leahy			
Eagleton	Chafee	Mathias	Byrd	Levin			
Heflin	Cochran	Mattingly	Chiles	Metzenbaum			
Inouye	Cohen	McClure	Cranston	Mitchell			
Matsunaga	D'Amato	McConnell	Dodd	Moynihan			
Melcher	Danforth	Nickles	Exon	Proxmire			
Nunn	Denton	Pressler	Ford	Pryor			
Pell	Dole	Quayle	Glenn	Riegle			
Stennis	Domenici	Roth	Gore	Rockefeller			
Zorinsky	Durenberger	Rudman	Harkin	Sarbanes			
	Evans	Simpson	Hart	Sasser			
	Garn	Specter	Hollings	Simon			
	Goldwater	Stafford					
	Gorton	Stevens					
	Gramm	Thurmond					
	Grassley	Trible					
	Hatch	Wallop					
	Hatfield	Warner					
	Hawkins	Weicker					
	Heinz	Wilson					
	Helms						

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 70%
Republicans— 98%

Measure of Party Support on Issue as Voted on

For (63)
Democrats— 14 or 22%
Republicans— 49 or 78%

Against (33)
Democrats— 32 or 97%
Republicans— 1 or 3%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 161

99th Congress
2nd Session

July 22, 1986, 5:04 p.m.
Temp. Cong. Rec. p. S-9468

EXPORT-IMPORT BANK AMENDMENTS

BILL NO.: S. 2247 (H.R. 4510) AMENDMENT NO.: 2217

TITLE: "Export-Import Bank Act Amendments of 1986."

SUBJECT: **Ford, et al, modified amendment to provide that 4.3 percent of the $300 million Tied Aid Credit Program of the Export-Import Bank, shall be made available to the Secretary of Agriculture to carry out the price support programs at the levels authorized in the Food Security Act of 1985, thereby restoring Gramm-Rudman-Hollings sequestration cuts to the program.** (Subsequently, the House bill, as amended by the text of S. 2247, was passed by voice vote.)

NOTE: Proponents pointed out that Gramm-Rudman-Hollings froze benefits for other groups but cut benefits for farmers. Agriculture programs which comprise three percent of nondefense spending, sustained 22 percent of the sequestration cuts, thus enduring seven times their proportionate burden of sequestration. This amendment, if adopted, would relieve some of this burden on American farmers by cutting the Export-Import Bank's "war chest" by 4.3 percent, thus making available $12.9 million to restore cuts in USDA's price support programs.

Opponents stated that because the pending bill is an authorization, not an appropriation, this amendment is not a useful expression of pro-farmer sentiment since it amounts to no more than a sense of the Senate resolution. It would not guarantee the same action during consideration of an appropriation bill, since the appropriators will decide for themselves whether or not to give money to farmers.

S. 2247 (H.R. 4510): Vote No. 161.

RESULT: AMENDMENT REJECTED

YEAS (47)			NAYS (53)			NOT VOTING (0)	
Democrats (32 or 68%)		Republicans (15 or 28%)	Democrats (15 or 32%)	Republicans (38 or 72%)		Democrats (0)	Republicans (0)
Baucus	Hollings	Abdnor	Bentsen	Armstrong	Humphrey		
Boren	Kennedy	Andrews	Biden	Boschwitz	Kassebaum		
Bumpers	Leahy	Broyhill	Bingaman	Chafee	Laxalt		
Burdick	Levin	Cochran	Bradley	Cohen	Lugar		
Byrd	Matsunaga	Denton	Chiles	D'Amato	Mathias		
DeConcini	Melcher	Grassley	Cranston	Danforth	Murkowski		
Dixon	Metzenbaum	Helms	Inouye	Dole	Packwood		
Dodd	Nunn	Kasten	Johnston	Domenici	Quayle		
Eagleton	Proxmire	Mattingly	Kerry	Durenberger	Roth		
Exon	Pryor	McClure	Lautenberg	Evans	Rudman		
Ford	Riegle	McConnell	Long	Garn	Simpson		
Glenn	Rockefeller	Nickles	Mitchell	Goldwater	Specter		
Gore	Sasser	Pressler	Moynihan	Gorton	Stafford		
Harkin	Simon	Symms	Pell	Gramm	Stevens		
Hart	Stennis	Thurmond	Sarbanes	Hatch	Trible		
Heflin	Zorinsky			Hatfield	Wallop		
				Hawkins	Warner		
				Hecht	Weicker		
				Heinz	Wilson		

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion	Measure of Party Support on Issue as Voted on	
	For (47)	*Against* (53)
Democrats— 68%	Democrats— 32 or 68%	Democrats— 15 or 28%
Republicans— 72%	Republicans— 15 or 32%	Republicans— 38 or 72%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 162

99th Congress
2nd Session

July 23, 1986, 2:04 p.m.
Temp. Cong. Rec. p. S-9539

NOMINATION OF DANIEL A. MANION TO BE U.S. CIRCUIT JUDGE

POSITION: U.S. Circuit Judge to the 7th Circuit Court of Appeals.

SUBJECT: **Byrd motion to reconsider Vote No. 152 by which the Senate voted to confirm the nomination of Daniel A. Manion, of Indiana, to be U.S. Circuit Judge to the 7th Circuit Court of Appeals.** (See also Vote No. 152.)

NOTE: Proponents of the nomination argued that Manion is fully qualified for the post, and that parliamentary tactics should not be allowed to taint the confirmation process. Had Senator Byrd not changed his vote, the resulting tie would have been resolved by the Vice President, and the nomination approved. Arguments that Manion lacks experience, writing skill, and a commitment to the Constitution are not substantive, and betray the partisan nature of the opposition to his nomination. Manion has survived "the most searching inquiries that can be directed toward any nominee" by the FBI, the Justice Department, the White House, the American Bar Association, and the Judiciary Committee. In addition, he should be supported because he is the President's choice, and the President is trying to restore balance in the Federal judiciary after four years of Carter appointees, 95 percent of whom call themselves moderate or liberal. The vacancy on the 7th Circuit Court of Appeals has existed since July 1984, and it would be irresponsible for the Senate to delay further. The opposition raised by a current 7th Circuit Court judge must be questioned since there are legal and moral restraints that limit judges from participating in the nomination process.

Opponents of the nomination stated that the vote by which the nomination was approved is a discredit to the Senate, with votes being withheld, swapped, and the voting period being extended from the agreed upon 20 minutes to 22 minutes, at which point a vote against Manion was withdrawn on what later proved to be a misrepresentation of an absent Senator's position. Further, Manion's record does not demonstrate the level of excellence necessary to be a Federal judge, and his understanding of the

(OVER)

Vote Nos. 152, 162.

RESULT: **MOTION TO RECONSIDER REJECTED, WITH VICE PRESIDENT VOTING NAY**

ADMINISTRATION POSITION: NAY

YEAS (49)

Democrats (44 or 96%)		Republicans (5 or 10%)
Baucus	Johnston	Kassebaum
Bentsen	Kennedy	Mathias
Biden	Kerry	Packwood
Bingaman	Lautenberg	Specter
Boren	Leahy	Weicker
Bradley	Levin	
Bumpers	Matsunaga	
Burdick	Melcher	
Byrd	Metzenbaum	
Chiles	Mitchell	
Cranston	Moynihan	
Dixon	Nunn	
Dodd	Pell	
Eagleton	Proxmire	
Exon	Pryor	
Ford	Riegle	
Glenn	Rockefeller	
Gore	Sarbanes	
Harkin	Sasser	
Hart	Simon	
Hollings	Stennis	
Inouye	Zorinsky	

NAYS (49)

Democrats (2 or 4%)	Republicans (47 or 90%)	
Heflin	Abdnor	Helms
Long	Andrews	Humphrey
	Armstrong	Kasten
	Boschwitz	Laxalt
	Broyhill	Lugar
	Chafee	Mattingly
	Cochran	McClure
	Cohen	McConnell
	D'Amato	Murkowski
	Danforth	Nickles
	Denton	Pressler
	Dole	Quayle
	Domenici	Roth
	Durenberger	Rudman
	Evans	Simpson
	Garn	Stafford
	Gorton	Stevens
	Gramm	Symms
	Grassley	Thurmond
	Hatch	Trible
	Hatfield	Wallop
	Hawkins	Warner
	Hecht	Wilson
	Heinz	

NOT VOTING (1)

Democrats (0) Republicans (1)

Goldwater—PN

LIVE PAIRS (1)

PRESENT AND GIVING:	RECEIVING:
DeConcini (PY)	Goldwater (PN)

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—96%
Republicans—90%

Measure of Party Support on Issue as Voted on

For (49)
Democrats—44 or 90%
Republicans—5 or 10%

Against (49)
Democrats—2 or 4%
Republicans—47 or 96%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

Constitution has been described as "mildly bizarre." His legal briefs border "on the illiterate;" he doctored his own transcript to dissuade damaging testimony; he has no record of legal scholarship; and he has never been the lead attorney in a Federal case. Opposition to the nomination has been voiced by lawyers, deans of law schools, and a judge of the U.S. Court of Appeals. It is not the Senate's obligation to ratify the President's judicial choices, but to "advise and consent."

SENATE VOTING RECORD

NO. 166

99th Congress
2nd Session

July 30, 1986; 11:29 a.m.
Temp. Cong. Rec. p. S-9838

DEBT LIMIT EXTENSION/GRAMM-RUDMAN-HOLLINGS II

BILL NO.: H.J. Res. 668

SUBJECT: **Heinz motion to table the Exon motion to commit the bill to the Governmental Affairs Committee with instructions to report back sense of the Senate language that the "fallback" provisions in the sequestration section of the original Gramm-Rudman-Hollings Act (enacted last year) should be utilized, if necessary, and that Congress should vote on all specific measures to reduce the deficit.** (The Dole-Gramm amendments Nos. 2231 and 2232 fell with the motion to table.)

NOTE: Proponents of the motion to commit complained that the Senate has been tied up almost a week waiting for a Gramm-Rudman-Hollings amendment to vote on. They contended that new provisions were unnecessary since the original Gramm-Rudman-Hollings amendment provided fallback provisions in case the enforcement mechanism was ruled unconstitutional, as it now has been. The responsibility, they stressed, lies with the Congress to make these cuts to reduce the deficit. The responsibility for the sequester order should not be transferred to a nonelected bureaucrat in the executive branch.

Opponents of the motion to commit agreed that the Senate should begin to dispose of the various motions and amendments in order to get to the compromise amendment which was continuing to be worked out.

H.J. Res. 668: Vote Nos. 166-175, 208.

RESULT: **MOTION TO TABLE AGREED TO**

YEAS (66)

Democrats (16 or 34%)	Republicans (50 or 96%)		
Bentsen	Abdnor	Kassebaum	
Biden	Andrews	Kasten	
Boren	Armstrong	Laxalt	
Bumpers	Boschwitz	Lugar	
Chiles	Broyhill	Mattingly	
Dixon	Chafee	McClure	
Heflin	Cochran	McConnell	
Hollings	Cohen	Murkowski	
Kennedy	D'Amato	Nickles	
Levin	Danforth	Packwood	
Long	Denton	Pressler	
Nunn	Dole	Quayle	
Proxmire	Domenici	Roth	
Pryor	Durenberger	Rudman	
Simon	Evans	Simpson	
Zorinsky	Garn	Specter	
	Gorton	Stafford	
	Gramm	Stevens	
	Grassley	Symms	
	Hatch	Thurmond	
	Hawkins	Trible	
	Hecht	Wallop	
	Heinz	Warner	
	Helms	Weicker	
	Humphrey	Wilson	

NAYS (33)

Democrats (31 or 66%)		Republicans (2 or 4%)
Baucus	Johnston	Hatfield
Bingaman	Kerry	Mathias
Bradley	Lautenberg	
Burdick	Leahy	
Byrd	Matsunaga	
Cranston	Melcher	
DeConcini	Metzenbaum	
Dodd	Mitchell	
Eagleton	Moynihan	
Exon	Pell	
Ford	Riegle	
Glenn	Rockefeller	
Gore	Sarbanes	
Harkin	Sasser	
Hart	Stennis	
Inouye		

NOT VOTING (1)

Democrats (0) Republicans (1)

Goldwater[2]

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—66%
Republicans—96%

Measure of Party Support on Issue as Voted on

For (66)
Democrats—16 or 24%
Republicans—50 or 76%

Against (33)
Democrats—31 or 94%
Republicans—2 or 6%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 173

99th Congress
2nd Session

August 1, 1986, 12:24 a.m.
Session of July 31, 1986
Temp. Cong. Rec. p. S-10023

DEBT LIMIT EXTENSION/GRAMM-RUDMAN-HOLLINGS II

BILL NO.: H.J. Res. 668

AMENDMENT NO.: 2250

SUBJECT: **Sasser motion to waive section 302(a) of the Budget Act (which requires that a committee must have filed its allocation before a spending amendment may be considered) to allow consideration of the Sasser amendment to provide emergency assistance to farmers and ranchers adversely affected by this year's drought and excessively hot weather.** (Subsequently, the amendment was agreed to by voice vote.)

NOTE: Proponents emphasized that the Senate cannot afford to forego action on the drought disaster any longer. While the amendment creates no substantial new authority, it requires the Secretary of Agriculture to use existing authority to make emergency assistance available to farmers and ranchers in drought disaster areas. If the Senate can find an additional $300 million to aid certain Central American countries, in addition to providing $100 million to the Contras, it can certainly find $300 million to aid the drought-stricken farmers of the southeastern United States who are fighting for their economic lives. A vote against the motion to waive the Budget Act would say that the government cannot now, or any time in the future, do anything for that ravaged section of the U.S. that has already suffered a $2.3 billion loss.

Opponents argued that the amendment violates the Budget Act since the Agriculture Committee has not filed its required allocation and would add to the deficit and the prospect for a sequester. The Agriculture Committee does not have room in its $22 billion allocation to provide emergency assistance; therefore, the cost would have to come out of defense and domestic programs. It is unnecessary legislation because the Secretary of Agriculture plans to announce a program tomorrow which includes most of the ideas in this proposal and will be paid for out of discretionary funds.

H.J. Res. 668: Vote Nos. 166-175, 208.

RESULT: **MOTION TO WAIVE BUDGET ACT AGREED TO**

YEAS (55)

Democrats (43 or 93%)		Republicans (12 or 24%)
Baucus	Johnston	Abdnor
Bentsen	Kennedy	Andrews
Biden	Kerry	Broyhill
Bingaman	Lautenberg	Cochran
Boren	Leahy	Denton
Bradley	Levin	Kasten
Bumpers	Long	Mattingly
Burdick	Matsunaga	Nickles
Byrd	Melcher	Pressler
Cranston	Metzenbaum	Thurmond
Dixon	Mitchell	Trible
Dodd	Moynihan	Warner
Eagleton	Nunn	
Exon	Pell	
Ford	Pryor	
Glenn	Riegle	
Gore	Rockefeller	
Harkin	Sarbanes	
Hart	Sasser	
Heflin	Simon	
Hollings	Zorinsky	
Inouye		

NAYS (40)

Democrats (3 or 7%)	Republicans (37 or 76%)	
Chiles	Armstrong	Humphrey
DeConcini	Boschwitz	Kassebaum
Proxmire	Chafee	Lugar
	Cohen	Mathias
	D'Amato	McClure
	Danforth	McConnell
	Dole	Murkowski
	Domenici	Packwood
	Durenberger	Quayle
	Evans	Roth
	Garn	Rudman
	Gorton	Specter
	Gramm	Stafford
	Grassley	Stevens
	Hatch	Symms
	Hatfield	Wallop
	Hecht	Weicker
	Heinz	Wilson
	Helms	

NOT VOTING (5)

Democrats (1)	Republicans (4)
Stennis[2]	Goldwater[2]
	Hawkins[2]
	Laxalt[2]
	Simpson[2]

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—93%
Republicans—76%

Measure of Party Support on Issue as Voted on

For (55)
Democrats—43 or 78%
Republicans—12 or 22%

Against (40)
Democrats—3 or 7.5%
Republicans—37 or 92.5%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 175

99th Congress
2nd Session

August 1, 1986, 6:15 p.m.
Temp. Cong. Rec. p. S-10154

DEBT LIMIT EXTENSION/GRAMM-RUDMAN-HOLLINGS II

BILL NO.: H.J. Res. 668

AMENDMENT NO.: 2267

SUBJECT: **Heinz motion to table the Bumpers, et al, amendment to exempt social security administrative expenses (including processing and mailing of benefit checks and the operation of social security offices) from any sequestration or automatic deficit cuts under Gramm-Rudman-Hollings.**

VOTE: Proponents of the amendment noted that there are presently 75,000 employees in the Social Security Administration serving 35 million recipients. In five years, there will be five million more recipients—all being served by the same inadequately small work force. Some elderly persons cannot reach the social security offices by telephone and are forced to travel long distances, only to find themselves waiting up to two hours just to apply for social security. Unless the administrative expenses are exempt from automatic cuts under Gramm-Rudman-Hollings, the burden on the elderly will be more extensive and considerable.

Opponents of the amendment contended that it sets a dangerous precedent. If one trust fund is exempted, other agencies suddenly will be developing trust funds. If the Senate is serious about cutting the Federal budget, they argued, one group of civil servants should not be excluded just because of the functions they perform in connection with the administration of a program that happens to have a trust fund. The Social Security Administration should be able to find the necessary savings if sequestered, just like all other accounts.

H.J. Res. 668: Vote Nos. 166-175, 208.

RESULT: **MOTION TO TABLE AGREED TO**

YEAS (45)

Democrats (11 or 26%)	Republicans (34 or 87%)	
Bentsen	Abdnor	Helms
Bingaman	Armstrong	Kassebaum
Boren	Boschwitz	Kasten
Dixon	Broyhill	Laxalt
Exon	Chafee	Lugar
Hollings	Cochran	Mattingly
Long	Dole	McConnell
Melcher	Domenici	Murkowski
Nunn	Durenberger	Nickles
Proxmire	Goldwater	Pressler
Stennis	Gorton	Quayle
	Gramm	Rudman
	Grassley	Stafford
	Hatch	Stevens
	Hatfield	Thurmond
	Hecht	Wallop
	Heinz	Warner

NAYS (36)

Democrats (31 or 74%)		Republicans (5 or 13%)
Baucus	Kennedy	Andrews
Biden	Kerry	Denton
Bumpers	Lautenberg	Mathias
Burdick	Leahy	Specter
Byrd	Levin	Wilson
Chiles	Matsunaga	
DeConcini	Metzenbaum	
Dodd	Mitchell	
Eagleton	Pryor	
Ford	Riegle	
Glenn	Rockefeller	
Gore	Sarbanes	
Harkin	Sasser	
Heflin	Simon	
Inouye	Zorinsky	
Johnston		

NOT VOTING (18)

Democrats (4)	Republicans (14)
Cranston—2PN	Cohen—2
Hart—2	D'Amato—2
Moynihan—2	Danforth—2
Pell—2	Evans—2
	Garn—2
	Hawkins—2
	Humphrey—2
	McClure—2
	Packwood—2
	Roth—2
	Simpson—2
	Symms—2
	Trible—2
	Weicker—2

LIVE PAIRS (1)

PRESENT AND GIVING:	RECEIVING:
Bradley (PY)	Cranston (PN)

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion	Measure of Party Support on Issue as Voted on	
	For (45)	*Against* (36)
Democrats—74%	Democrats—11 or 24%	Democrats—31 or 86%
Republicans—87%	Republicans—34 or 76%	Republicans—5 or 14%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 176

99th Congress
2nd Session

August 5, 1986, 4:37 p.m.
Temp. Cong. Rec. p. S-10379

DOD AUTHORIZATION, FY 1987

BILL NO.: S. 2638 AMENDMENT NO.: 2273

TITLE: "National Defense Authorization Act for Fiscal Year 1987."

SUBJECT: **Warner motion to table the Johnston-Evans, et al. amendment to reduce the authorization for the Strategic Defense Initiative (SDI) by $712 million (from $3.953 billion to $3.241 billion) which would provide for a $225 million spending increase over FY 1986 or a three percent real growth rate, instead of 28 percent as provided for in the bill.** (See also Vote No. 177.)

NOTE: Proponents of the amendment maintained that three percent real growth is sufficient to ensure a high level of research for what is already the largest item in the DOD budget. This level of spending will allow research into new defense technologies to continue while the goals of the program are more clearly defined. The decision to fund SDI research, however, does not represent a decision to deploy a new system which will have negative consequences: it will not end the arms race, since the Soviet Union will strive to penetrate U.S. defenses; nor will it make nuclear weapons obsolete, since offensive weapons still will be needed in the event of a Soviet attack. The development of the x-ray laser, a key component of SDI, will require numerous tests which will violate the comprehensive ban on nuclear testing. SDI also will require abandoning the ABM treaty, undermine strategic deterrence, and weaken the NATO alliance. It will not eliminate the need for arms negotiation; nor could the x-ray laser be shared, since to know the technology is to know how to defeat it. SDI has not been instrumental, they contended, in getting the Soviet Union to negotiate arms reduction; over the years the USSR has demonstrated greater preparedness to negotiate than the U.S. The potential of SDI has been oversold: after three years of research, DOD does not know what the system will look like; its deployment by the late 1990's is not feasible; and its effectiveness never will be fully-known, since it cannot be tested under realistic conditions. It also will hinder the space program by diverting resources and research efforts to the task of moving hardware into orbit cheaply.

Opponents of the amendment argued that funding for SDI research should not be compromised, since it may well result in an alternative to the policy of mutually assured destruction. SDI has the potential to create a safe future by defending against accidental attacks on the American population and enhancing

(OVER)

S. 2638: Vote Nos. 176-207.

RESULT: MOTION TO TABLE AGREED TO

ADMINISTRATION POSITION: YEA

YEAS (50)

Democrats (9 or 19%)	Republicans (41 or 79%)	
Bingaman	Abdnor	Kasten
Byrd	Armstrong	Laxalt
Exon	Boschwitz	Lugar
Glenn	Broyhill	Mattingly
Heflin	Cochran	McClure
Hollings	Cohen	McConnell
Nunn	D'Amato	Murkowski
Stennis	Danforth	Nickles
Zorinsky	Denton	Pressler
	Dole	Quayle
	Domenici	Roth
	Durenberger	Rudman
	Garn	Simpson
	Goldwater	Stevens
	Gorton	Symms
	Gramm	Thurmond
	Hatch	Trible
	Hecht	Wallop
	Heinz	Warner
	Helms	Wilson
	Humphrey	

NAYS (49)

Democrats (38 or 81%)		Republicans (11 or 21%)
Baucus	Kennedy	Andrews
Bentsen	Kerry	Chafee
Biden	Lautenberg	Evans
Boren	Leahy	Grassley
Bradley	Levin	Hatfield
Bumpers	Long	Kassebaum
Burdick	Matsunaga	Mathias
Chiles	Melcher	Packwood
Cranston	Metzenbaum	Specter
DeConcini	Mitchell	Stafford
Dixon	Moynihan	Weicker
Dodd	Pell	
Eagleton	Proxmire	
Ford	Pryor	
Gore	Riegle	
Harkin	Rockefeller	
Hart	Sarbanes	
Inouye	Sasser	
Johnston	Simon	

NOT VOTING (1)

Democrats (0)	Republicans (1)
	Hawkins—AY

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—81%
Republicans—79%

Measure of Party Support on Issue as Voted on

For (50)
Democrats—9 or 18%
Republicans—41 or 82%

Against (49)
Democrats—38 or 78%
Republicans—11 or 22%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

the survivability of our strategic forces. It has compelled the Soviet Union to take arms control negotiations seriously. SDI research does not violate the ABM treaty, since another interpretation of that treaty allows the U.S. to pursue research and development relevant to SDI. The research has already yielded scientific developments with possible applications in the private sector which could offset its cost. If this technology is not developed, the Soviet Union may surpass the U.S. The funding in the DOD authorization is a balance between the level necessary to conduct research and fiscal realities. No "three percent" formula is sufficient to calculate the requirements of a research program, and, in this case, would gut many programs now in progress. Reliable estimates of the overall cost of SDI have not yet been made, but the figures that have been quoted are inaccurate.

SENATE VOTING RECORD

NO. 177

99th Congress
2nd Session

August 5, 1986, 6:24 p.m.
Temp. Cong. Rec. p. S-10388

DOD AUTHORIZATION, FY 1987

BILL NO.: S. 2638 **AMENDMENT NO.:** 2413

TITLE: "National Defense Authorization Act for Fiscal Year 1987."

SUBJECT: **Exon-Johnston amendment to reduce Strategic Defense Initiative (SDI) funding by $392 million (from $3.953 billion to $3.561 billion) which would provide for a 15 percent growth rate, instead of 28 percent as provided for in the bill.** (See also Vote No. 176.)

NOTE: Proponents noted that this amendment, which is closer to the Committee's original figure, will provide a half-a-billion dollar increase in funding over last year—the largest single increase for any part of the total FY 1987 budget. A greater increase could not be absorbed without generating waste. While some defense programs may have had higher increases in the past, they were for clearly defined projects using mature technology, as opposed to programs that lack a defined architecture. Since 1984, total defense budget expenditures have increased by eight percent, while funding for SDI has tripled. Not only does SDI lack a focus after three years of ongoing research, but scientists engaged in the research have indicated that they cannot possibly spend the amount of money being made available.

Opponents countered that the SDI funding level was arrived at after balancing the testimony of former Defense Secretaries of defense against fiscal realities, and represents a reasonable rate of growth in SDI research—more reasonable than the Administration's request for a 73 percent increase. If this amount is cut by the Senate, and then again in conference, the message that will be sent to the Administration and the rest of the world is that Congress is divided on SDI. This could weaken arms negotiations with the Soviet Union. There is no simple generalization as to what an adequate level of growth in a program should be; the factors relevant to a program must be weighed with Soviet capabilities. The fact that SDI does not have a focus, and that the Senate does not fully support the Administration's goals, does not mean that SDI research is without merit.

S. 2638: Vote Nos. 176-207.

RESULT: **AMENDMENT REJECTED** ADMINISTRATION POSITION: NAY

YEAS (49)		
Democrats (39 or 83%)		**Republicans (10 or 19%)**
Baucus	Kennedy	Andrews
Bentsen	Kerry	Chafee
Biden	Lautenberg	Evans
Boren	Leahy	Grassley
Bradley	Levin	Hatfield
Bumpers	Long	Kassebaum
Burdick	Matsunaga	Mathias
Chiles	Melcher	Specter
Cranston	Metzenbaum	Stafford
DeConcini	Mitchell	Weicker
Dixon	Moynihan	
Dodd	Pell	
Eagleton	Proxmire	
Exon	Pryor	
Ford	Riegle	
Gore	Rockefeller	
Harkin	Sarbanes	
Hart	Sasser	
Inouye	Simon	
Johnston		

NAYS (50)		
Democrats (8 or 17%)	**Republicans (42 or 81%)**	
Bingaman	Abdnor	Kasten
Byrd	Armstrong	Laxalt
Glenn	Boschwitz	Lugar
Heflin	Broyhill	Mattingly
Hollings	Cochran	McClure
Nunn	Cohen	McConnell
Sasser	D'Amato	Murkowski
Zorinsky	Danforth	Nickles
	Denton	Packwood
	Dole	Pressler
	Domenici	Quayle
	Durenberger	Roth
	Garn	Rudman
	Goldwater	Simpson
	Gorton	Stevens
	Gramm	Symms
	Hatch	Thurmond
	Hecht	Trible
	Heinz	Wallop
	Helms	Warner
	Humphrey	Wilson

NOT VOTING (1)	
Democrats (0)	**Republicans (1)**
	Hawkins—2AN

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—83%
Republicans—81%

Measure of Party Support on Issue as Voted on

For (49)
Democrats—39 or 80%
Republicans—10 or 20%

Against (50)
Democrats—8 or 16%
Republicans—42 or 84%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 183

99th Congress
2nd Session

August 7, 1986, 2:25 p.m.
Temp. Cong. Rec. p. S-10686

DOD AUTHORIZATION, FY 1987

BILL NO.: S. 2638 **AMENDMENT NO.:** 2612

TITLE: "National Defense Authorization Act for Fiscal Year 1987."

SUBJECT: **Cohen motion to table the Pryor-Gorton-Hatfield amendment which strikes $57 million for the procurement or production of the BIGEYE binary chemical bomb until Congress passes further legislation authorizing the obligation and expenditure of these funds, but retains the Administration's request for continuing an R&D test program of the BIGEYE. (See also Vote Nos. 182 and 184.)**

NOTE: Proponents of the amendment emphasized that it does not terminate the BIGEYE program, but rather demands that the bomb work before spending billions of dollars to produce it. After 23 years of research and testing, the bomb is still riddled with problems and has even failed the most elemental test of delivering nerve gas to its ultimate target. Before production begins on the BIGEYE bomb, reasonable assurances should be required that it works and does not endanger those who use it.

Opponents of the amendment admitted that while the BIGEYE bomb has its problems, delaying production even longer would put the United States in the intolerable situation of having an outmoded delivery system for chemical weapons. Currently, the United States could not use chemical weapons to retaliate against a possible chemical weapon attack. It would have to use nuclear weapons, thereby escalating the nuclear ladder. Updating U.S. chemical capability should not be neglected any longer. A low-range production program could be cancelled if the weapon does not work.

S. 2638: Vote Nos. 176-207.

RESULT: **MOTION TO TABLE FAILED** ADMINISTRATION POSITION: YEA

YEAS (49)

Democrats (10 or 22%)	Republicans (39 or 74%)	
Bingaman	Abdnor	Laxalt
Boren	Armstrong	Lugar
Chiles	Boschwitz	Mattingly
Exon	Broyhill	McClure
Glenn	Chafee	McConnell
Heflin	Cochran	Murkowski
Hollings	Cohen	Nickles
Long	D'Amato	Pressler
Nunn	Denton	Quayle
Zorinsky	Dole	Roth
	Domenici	Rudman
	Garn	Simpson
	Goldwater	Stevens
	Gramm	Symms
	Hatch	Thurmond
	Hawkins	Trible
	Hecht	Wallop
	Helms	Warner
	Humphrey	Wilson
	Kasten	

NAYS (50)

Democrats (36 or 78%)		Republicans (14 or 26%)
Baucus	Kennedy	Andrews
Bentsen	Kerry	Danforth
Biden	Lautenberg	Durenberger
Bradley	Leahy	Evans
Bumpers	Levin	Gorton
Burdick	Matsunaga	Grassley
Byrd	Melcher	Hatfield
Cranston	Metzenbaum	Heinz
DeConcini	Mitchell	Kassebaum
Dixon	Moynihan	Mathias
Dodd	Pell	Packwood
Eagleton	Proxmire	Specter
Ford	Pryor	Stafford
Gore	Riegle	Weicker
Harkin	Rockefeller	
Hart	Sarbanes	
Inouye	Sasser	
Johnston	Simon	

NOT VOTING (1)

Democrats (1)	Republicans (0)
Stennis[2]	

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats – 78%
Republicans— 74%

Measure of Party Support on Issue as Voted on

For (49)
Democrats— 10 or 20%
Republicans— 39 or 80%

Against (50)
Democrats— 36 or 72%
Republicans— 14 or 28%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 184

99th Congress
2nd Session

August 7, 1986, 3:13 p.m.
Temp. Cong. Rec. p. S-10686

DOD AUTHORIZATION, FY 1987

BILL NO.: S. 2638 AMENDMENT NO.: 2612

TITLE: "National Defense Authorization Act for Fiscal Year 1987."

SUBJECT: **Pryor-Gorton-Hatfield amendment which strikes $57 million from the bill for the procurement or production of the BIGEYE binary chemical bomb until Congress passes further legislation authorizing the obligation and expenditure of these funds but retains the Administration's request for continuing an R&D test program of the BIGEYE.** (See also Vote Nos. 182 and 183.)

NOTE: Proponents emphasized that the amendment does not terminate the BIGEYE program, but rather demands that the bomb work before spending billions of dollars to produce it. After 23 years of research and testing, the bomb is still riddled with problems and has even failed the most elemental test of delivering nerve gas to its ultimate target. Before production begins on the BIGEYE bomb, reasonable assurances should be required that it works and does not endanger those who use it.

Opponents admitted that while the BIGEYE bomb has its problems, delaying production even longer would put the United States in the intolerable situation of having an outmoded delivery system for chemical weapons. Currently, the United States could not use chemical weapons to retaliate against a possible chemical weapon attack. It would have to use nuclear weapons, thereby escalating the nuclear ladder. A low-range production program could be cancelled if the weapon does not work.

S. 2638: Vote Nos. 176-207.

RESULT: **AMENDMENT REJECTED, WITH VICE PRESIDENT VOTING NAY TO BREAK TIE**

ADMINISTRATION POSITION: NAY

YEAS (50)

Democrats (36 or 77%)		Republicans (14 or 26%)
Baucus	Kennedy	Andrews
Bentsen	Kerry	Danforth
Biden	Lautenberg	Durenberger
Bradley	Leahy	Evans
Bumpers	Levin	Gorton
Burdick	Matsunaga	Grassley
Byrd	Melcher	Hatfield
Cranston	Metzenbaum	Heinz
DeConcini	Mitchell	Kassebaum
Dixon	Moynihan	Mathias
Dodd	Pell	Packwood
Eagleton	Proxmire	Specter
Ford	Pryor	Stafford
Gore	Riegle	Weicker
Harkin	Rockefeller	
Hart	Sarbanes	
Inouye	Sasser	
Johnston	Simon	

NAYS (50)

Democrats (11 or 23%)	Republicans (39 or 74%)	
Bingaman	Abdnor	Laxalt
Boren	Armstrong	Lugar
Chiles	Boschwitz	Mattingly
Exon	Broyhill	McClure
Glenn	Chafee	McConnell
Heflin	Cochran	Murkowski
Hollings	Cohen	Nickles
Long	D'Amato	Pressler
Nunn	Denton	Quayle
Stennis	Dole	Roth
Zorinsky	Domenici	Rudman
	Garn	Simpson
	Goldwater	Stevens
	Gramm	Symms
	Hatch	Thurmond
	Hawkins	Trible
	Hecht	Wallop
	Helms	Warner
	Humphrey	Wilson
	Kasten	

NOT VOTING (0)

Democrats (0) Republicans (0)

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 77%
Republicans— 74%

Measure of Party Support on Issue as Voted on

For (50)
Democrats— 36 or 72%
Republicans— 14 or 28%

Against (50)
Democrats— 11 or 22%
Republicans— 39 or 78%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 192

99th Congress
2nd Session

August 8, 1986, 1:10 p.m.
Temp. Cong. Rec. p. S-10810

DOD AUTHORIZATION, FY 1987

BILL NO.: S. 2638 AMENDMENT NO.: 2650

TITLE: "National Defense Authorization Act for Fiscal Year 1987."

SUBJECT: **Warner motion to table the Kerry, et al. amendment to prohibit the use of funds to carry out a test of the Space Defense System (anti-satellite weapon) against an object in space until the President, using existing authority, certifies to Congress that the USSR has conducted, after passage of this Act, its own test of a dedicated anti-satellite weapon.**

NOTE: Proponents of the amendment stated that it is necessary to continue the moratorium (which was included by conference agreement in an appropriations bill and will expire at the end of this year) on ASAT testing in space. A moratorium is needed to maintain the status quo and not escalate the ASAT race in space between the U.S. and the Soviet Union, protect U.S. satellites which are the single most important element of U.S. military capacity to verify Soviet activity, and offer negotiators on both sides time to try to obtain an ASAT treaty in Geneva. GAO has raised serious questions about the rising costs and the technological problems besetting the U.S. low-altitude ASAT program.

Opponents of the amendment claimed that continuation of a moratorium on ASAT testing would be just one more unilateral arms control concession by the United States since Soviet compliance cannot be verified. Further testing and development of the Space Defense System is essential if the U.S. is to defend its satellites from possible attack. The Soviet Union, they asserted, has an existing operational ASAT capability and needs no further testing.

S. 2638: Vote Nos. 176-207.

RESULT: **MOTION TO TABLE AGREED TO**

YEAS (55)

Democrats (13 or 28%)	Republicans (42 or 81%)	
Boren	Abdnor	Humphrey
Byrd	Armstrong	Kasten
Chiles	Boschwitz	Laxalt
DeConcini	Broyhill	Lugar
Dixon	Cochran	Mattingly
Exon	Cohen	McClure
Glenn	D'Amato	McConnell
Heflin	Danforth	Murkowski
Hollings	Denton	Nickles
Long	Dole	Pressler
Nunn	Domenici	Quayle
Stennis	Durenberger	Roth
Zorinsky	Garn	Rudman
	Goldwater	Simpson
	Gorton	Stevens
	Gramm	Symms
	Grassley	Thurmond
	Hatch	Trible
	Hawkins	Wallop
	Hecht	Warner
	Helms	Wilson

NAYS (43)

Democrats (33 or 72%)		Republicans (10 or 19%)
Baucus	Lautenberg	Andrews
Bentsen	Leahy	Chafee
Biden	Levin	Hatfield
Bingaman	Matsunaga	Heinz
Bradley	Melcher	Kassebaum
Bumpers	Metzenbaum	Mathias
Burdick	Mitchell	Packwood
Cranston	Moynihan	Specter
Dodd	Pell	Stafford
Ford	Proxmire	Weicker
Gore	Pryor	
Harkin	Riegle	
Hart	Rockefeller	
Inouye	Sarbanes	
Johnston	Sasser	
Kennedy	Simon	
Kerry		

NOT VOTING (2)

Democrats (1)	Republicans (1)
Eagleton—2	Evans—2

EXPLANATION OF ABSENCE:

1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:

AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 72%
Republicans— 81%

Measure of Party Support on Issue as Voted on

For (55)
Democrats— 13 or 24%
Republicans— 42 or 76%

Against (43)
Democrats— 33 or 77%
Republicans— 10 or 23%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 193

99th Congress
2nd Session

August 8, 1986, 3:54 p.m.
Temp. Cong. Rec. p. S-10836

DOD AUTHORIZATION, FY 1987

BILL NO.: S. 2638 **AMENDMENT NO.:** 2653

TITLE: "National Defense Authorization Act for Fiscal Year 1987."

SUBJECT: **Division I of the Kennedy, et al, amendment to strike the sections of the bill that weaken the Service Contracting Act (SCA) as it applies to DOD service contracts by: (1) raising the threshold for contracts from $2,500 to $1 million; (2) restricting the SCA to contracts wholly related to services; (3) weakening wage protection in successor contracts; and (4) broadening the definition of "prevailing wages" to allow the Department of Labor to establish the "prevailing wages" rate at the lowest existing level in a locality rather than the average or mean level.** (See Vote No. 194 on Division II.)

NOTE: Proponents pointed out that weakening the SCA would hit hardest at the housekeeping, laundry, custodial, and food service contracts which are comprised mostly of small and minority businesses employing women and minorities who are paid wages near or below the poverty level. Many other items in the $300 billion defense budget could be cut to save money instead of the wages of the lowest paid individuals in America. The SCA should be strengthened instead of weakened especially since the military has serious deficiencies in administering the Act, according to GAO. While the changes masquerade as SCA reform, they amount to virtual repeal and put the Federal government in the position of sanctioning subminimum wages. Prevailing wage protection is all that stands between these men and women and the overnight loss of their livelihood through contractor turnover.

Opponents contended that the SCA's purpose is to prevent services from being contracted out on military installations by eliminating any advantage the private sector has in wages. Although only one percent, or about 700,000, of all service employees in America are covered by the SCA, they earn 10-12 percent more because of that coverage. Raising the threshold on service contracts would save taxpayers $800 million over the next five years. The Committee provision will benefit small business and minorities by eliminating the imposition of artificial wage scales on such contractors.

S. 2638: Vote Nos. 176-207.

RESULT: **DIVISION I OF AMENDMENT AGREED TO**

YEAS (62)

Democrats (44 or 100%)		Republicans (18 or 35%)
Baucus	Johnston	Andrews
Bentsen	Kennedy	Boschwitz
Biden	Kerry	Chafee
Bingaman	Lautenberg	D'Amato
Boren	Leahy	Danforth
Bumpers	Levin	Domenici
Burdick	Long	Durenberger
Byrd	Matsunaga	Evans
Chiles	Melcher	Gorton
Cranston	Metzenbaum	Hatfield
DeConcini	Mitchell	Heinz
Dixon	Moynihan	Kasten
Dodd	Nunn	Mathias
Exon	Pell	Murkowski
Ford	Proxmire	Packwood
Glenn	Pryor	Specter
Gore	Riegle	Stafford
Harkin	Rockefeller	Stevens
Hart	Sarbanes	
Heflin	Sasser	
Hollings	Simon	
Inouye	Stennis	

NAYS (34)

Democrats (0 or 0%)	Republicans (34 or 65%)	
	Abdnor	Laxalt
	Armstrong	Lugar
	Broyhill	Mattingly
	Cochran	McClure
	Cohen	McConnell
	Denton	Nickles
	Dole	Pressler
	Garn	Quayle
	Goldwater	Roth
	Gramm	Rudman
	Grassley	Simpson
	Hatch	Symms
	Hawkins	Thurmond
	Hecht	Trible
	Helms	Wallop
	Humphrey	Warner
	Kassebaum	Wilson

NOT VOTING (3)

Democrats (2)	Republicans (1)
Bradley—2PY	Weicker—2
Eagleton—2	

LIVE PAIRS (1)

PRESENT AND GIVING:	RECEIVING:
Zorinsky (PN)	Bradley (PY)

EXPLANATION OF ABSENCE:

1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:

AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—100%
Republicans—65%

Measure of Party Support on Issue as Voted on

For (62)
Democrats—44 or 71%
Republicans—18 or 29%

Against (34)
Democrats—0 or 0%
Republicans—34 or 100%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 194

99th Congress
2nd Session

August 8, 1986, 4:19 p.m.
Temp. Cong. Rec. p. S-10836

DOD AUTHORIZATION, FY 1987

BILL NO.: S. 2638 AMENDMENT NO.: 2653

TITLE: "National Defense Authorization Act for Fiscal Year 1987."

SUBJECT: **Division II of the Kennedy, et al, amendment to strike the section that increases the contract size threshold under the Davis-Bacon Act for DOD contracts from $2,000 to $250,000 thus exempting contracts under $250,000 from the prevailing wage rate.** (See Vote No. 193 on Division I.)

NOTE: Proponents pointed out that 70 percent of all military construction contracts covered by Davis-Bacon would lose that protection if the contract threshold were increased. Repealing Davis-Bacon could result in greater total costs on government projects by facilitating awards to incompetent contractors who happen to bid low. Paying decent wages for a day's work cannot be called waste, fraud, and abuse, and in no way compares to massive cost overruns and overcharges for weapons systems.

Opponents contended that Davis-Bacon protection is no longer needed. Close to $300 billion is spent annually on construction in the U.S., of which 80 percent is done without Davis-Bacon. Studies have shown that the cost of construction projects where Davis-Bacon applied was 26-37 percent higher than equivalent private construction projects. Davis-Bacon has not been changed since the $2,000 limit was established in 1935, when the Act was created. Inflation has seriously changed the value of that cap, and a corresponding change should be reflected in the contract threshold.

S. 2638: Vote Nos. 176-207.

RESULT: DIVISION II OF AMENDMENT REJECTED

YEAS (44)

Democrats (34 or 77%)		Republicans (10 or 20%)
Baucus	Kerry	Andrews
Biden	Lautenberg	D'Amato
Bingaman	Leahy	Danforth
Burdick	Levin	Durenberger
Byrd	Long	Heinz
Cranston	Matsunaga	Mathias
Dixon	Melcher	Murkowski
Dodd	Metzenbaum	Packwood
Ford	Mitchell	Specter
Glenn	Moynihan	Stevens
Gore	Pell	
Harkin	Proxmire	
Hart	Riegle	
Heflin	Rockefeller	
Inouye	Sarbanes	
Johnston	Sasser	
Kennedy	Simon	

NAYS (51)

Democrats (10 or 23%)	Republicans (41 or 80%)		
Bentsen	Abdnor	Humphrey	
Boren	Armstrong	Kassebaum	
Bumpers	Boschwitz	Kasten	
Chiles	Broyhill	Laxalt	
Exon	Chafee	Lugar	
Hollings	Cochran	Mattingly	
Nunn	Cohen	McClure	
Pryor	Denton	McConnell	
Stennis	Dole	Nickles	
Zorinsky	Domenici	Pressler	
	Evans	Quayle	
	Garn	Roth	
	Goldwater	Rudman	
	Gorton	Simpson	
	Gramm	Symms	
	Grassley	Thurmond	
	Hatch	Trible	
	Hatfield	Wallop	
	Hawkins	Warner	
	Hecht	Wilson	
	Helms		

NOT VOTING (4)

Democrats (2)	Republicans (2)
Bradley—2PY	Stafford—2
Eagleton—2	Weicker—2

LIVE PAIRS (1)

PRESENT AND GIVING:	RECEIVING:
DeConcini (PN)	Bradley (PY)

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—77%
Republicans—80%

Measure of Party Support on Issue as Voted on

For (44)
Democrats—34 or 77%
Republicans—10 or 23%

Against (51)
Democrats—10 or 20%
Republicans—41 or 80%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 206

99th Congress
2nd Session

August 9, 1986, 8:22 p.m.
Temp. Cong. Rec. p. S-10989

DOD AUTHORIZATION, FY 1987

BILL NO.: S. 2638 AMENDMENT NO.: 2680

TITLE: "National Defense Authorization Act for Fiscal Year 1987."

SUBJECT: Packwood motion to table the Byrd amendment which amends section 232 of the Trade Expansion Act of 1962 by providing a more streamlined mechanism for the Administration to act on petitions by industries involved in national defense/security areas which seek relief from unfair imports that imperil an industry critical to the national defense; reduces from one year to six months the time within which the Secretaries of Commerce and Defense must report to the President on their investigations of such petitions; and requires the President to act within 90 days or explain, in the Federal Register, why he has not.

NOTE: Proponents of the amendment stated that this is not an issue of revenue, but one of national defense. The amendment requires the President to make a timely decision in cases where the national security could be undermined by imports. Petitions have languished for several years while American industries and workers are left with uncertainty and the defense industrial base suffers irreparable harm. Unless this law is tightened, the U.S. is going to see one after another of its industries perish. National security is more than troops and weapons. The DOD authorization bill is an appropriate vehicle for this amendment because it stands a greater chance of becoming law this year than the trade bill.

Opponents of the amendment maintained that the need for urgency does not exist since there is not one single case pending today under section 232 of the Trade Act. The Finance Committee is presently holding hearings on a trade bill and has scheduled a hearing on section 232. The amendment should be withdrawn so that the Committee with jurisdiction has a chance to work its will.

S. 2638: Vote Nos. 176-207.

RESULT: MOTION TO TABLE AGREED TO

YEAS (50)			NAYS (43)			NOT VOTING (7)	
Democrats (2 or 4%)	Republicans (48 or 100%)		Democrats (43 or 96%)		Republicans (0 or 0%)	Democrats (2)	Republicans (5)
Dodd	Abdnor	Kassebaum	Baucus	Kerry		Bradley[2]	Cohen[2]
Hart	Andrews	Kasten	Bentsen	Lautenberg		Eagleton[2]	Hatfield[2]
	Armstrong	Lugar	Biden	Leahy			Heinz[2]
	Boschwitz	Mathias	Bingaman	Levin			Laxalt[2]
	Broyhill	Mattingly	Boren	Long			Stafford[2]
	Chafee	McClure	Bumpers	Matsunaga			
	Cochran	McConnell	Burdick	Melcher			
	D'Amato	Murkowski	Byrd	Metzenbaum			
	Danforth	Nickles	Chiles	Mitchell			
	Denton	Packwood	Cranston	Moynihan			
	Dole	Pressler	DeConcini	Nunn			
	Domenici	Quayle	Dixon	Pell			
	Durenberger	Roth	Exon	Proxmire			
	Evans	Rudman	Ford	Pryor			
	Garn	Simpson	Glenn	Riegle			
	Goldwater	Specter	Gore	Rockefeller			
	Gorton	Stevens	Harkin	Sarbanes			
	Gramm	Symms	Heflin	Sasser			
	Grassley	Thurmond	Hollings	Simon			
	Hatch	Trible	Inouye	Stennis			
	Hawkins	Wallop	Johnston	Zorinsky			
	Hecht	Warner	Kennedy				
	Helms	Weicker					
	Humphrey	Wilson					

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—96%
Republicans—100%

Measure of Party Support on Issue as Voted on

For (50)
Democrats—2 or 4%
Republicans—48 or 96%

Against (43)
Democrats—43 or 100%
Republicans—0 or 0%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 211

99th Congress
2nd Session

August 12, 1986, 5:30 p.m.
Temp. Cong. Rec. p. S-11384

NICARAGUAN CONTRA AID/MILITARY CONSTRUCTION APPROPRIATIONS, 1987

BILL NO.: H.R. 5052 AMENDMENT NO.: 2700

SUBJECT: **Mattingly motion to table the Sasser-Dodd, et al, amendment to strike Title II which provides $100 million in military assistance and humanitarian aid to the Nicaraguan Contras and $300 million in economic aid to Costa Rica, El Salvador, Guatemala, and Honduras, and Title III which increases the African Famine Relief Fund by $300 million for the purpose of aiding the above four Central American countries.**

NOTE: Proponents of the amendment argued that a vote for Contra aid would lead toward U.S. combat in a country of less than three million people without the support of 250 million Americans. U.S. policy, formulated by "armchair warriers," is rapidly becoming one of "shoot first, ask questions later." Once embarked on a military course, it is difficult to change and, if any lesson was learned from Vietnam, it should be never to commit to a foreign conflict without the full support of the American people. The Administration is asking Congress to aid 18,000 guerrillas in an attempt to overthrow a government that the U.S. recognizes and with whom it carries on normal diplomatic relations. The Contras are not benign democratic freedom fighters. They are as guilty of human rights violations as the Sandinistas. Their handling of $27 million in humanitarian aid has raised serious questions about corruption, embezzlement, and fraud. Nicaragua's problem is one of social, economic, and political injustice—a history which the U.S. helped to fashion and a legacy which it seems to be trying to preserve. There are alternatives to the policy of funding the Contras, such as sanctions. Diplomatic solutions, however, have never been pursued in good faith, they argued, by this Administration which espouses democracy while violating international standards of behavior.

Opponents of the amendment contended that a vote against Contra aid is a vote for Communism, leading straight to a one-party Marxist dictatorship which would crush any hope for democracy. While Congress is arguing about giving the Contras $100 million in aid, the Soviet Union, opponents maintained, is likely to give six times that amount to the Sandinistas. Withdrawing U.S. support of the Contras could result in a threat to neighboring Central American countries and to the U.S. itself. The Contras are willing to fight and die for their cause. They are not asking the U.S. to do their fighting—only that the U.S. help to balance the aid the Ortega regime receives from the Soviets and Cubans.

H.R. 5052: Vote Nos. 211-218, 220-230.

RESULT: **MOTION TO TABLE AGREED TO**

YEAS (54)			NAYS (46)			NOT VOTING (0)	
Democrats (11 or 23%)	Republicans (43 or 81%)		Democrats (36 or 77%)		Republicans (10 or 19%)	Democrats (0)	Republicans (0)
Bentsen	Abdnor	Kassebaum	Baucus	Kerry	Andrews		
Boren	Armstrong	Kasten	Biden	Lautenberg	Chafee		
Bradley	Boschwitz	Laxalt	Bingaman	Leahy	Durenberger		
Chiles	Broyhill	Lugar	Bumpers	Levin	Gorton		
Dixon	Cochran	Mattingly	Burdick	Matsunaga	Hatfield		
Heflin	Cohen	McClure	Byrd	Melcher	Mathias		
Hollings	D'Amato	McConnell	Cranston	Metzenbaum	Packwood		
Johnston	Danforth	Murkowski	DeConcini	Mitchell	Specter		
Long	Denton	Nickles	Dodd	Moynihan	Stafford		
Nunn	Dole	Pressler	Eagleton	Pell	Weicker		
Stennis	Domenici	Quayle	Exon	Proxmire			
	Evans	Roth	Ford	Pryor			
	Garn	Rudman	Glenn	Riegle			
	Goldwater	Simpson	Gore	Rockefeller			
	Gramm	Stevens	Harkin	Sarbanes			
	Grassley	Symms	Hart	Sasser			
	Hatch	Thurmond	Inouye	Simon			
	Hawkins	Trible	Kennedy	Zorinsky			
	Hecht	Wallop					
	Heinz	Warner					
	Helms	Wilson					
	Humphrey						

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—77%
Republicans—81%

Measure of Party Support on Issue as Voted on

For (54)
Democrats—11 or 20%
Republicans—43 or 80%

Against (46)
Democrats—36 or 78%
Republicans—10 or 22%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

69-213 O - 87 - 6

SENATE VOTING RECORD

NO. 212

99th Congress
2nd Session

August 12, 1986, 6:31 p.m.
Temp. Cong. Rec. p. S-11390

NICARAGUAN CONTRA AID/MILITARY CONSTRUCTION APPROPRIATIONS, 1987

BILL NO.: H.R. 5052

AMENDMENT NO.: 2710

SUBJECT: Lugar motion to table the Kennedy amendment to prohibit the introduction of members of the U.S. Armed Forces or any other U.S. government employee into Nicaragua to engage in ground combat unless: (1) Congress has declared war or passed a joint resolution authorizing the introduction of such forces, in advance; or (2) the President has determined that U.S. forces are necessary to protect American lives, evacuate U.S. citizens, or respond to a clear and present danger of military attack on the U.S.

NOTE: Proponents of the amendment contended that the Administration's claim that U.S. combat troops will not become involved in Nicaragua is inconsistent with statements by the U.S. military and intelligence communities that the Contras will be able to defeat the Sandinistas only with the help of U.S. combat forces. The War Powers Act entitles the President to introduce U.S. troops into combat for 30 days in the absence of a declaration of war by the Congress, but the situation in Nicaragua is unique and the President should not be given this blank check. The amendment would return the war-making powers to where they belong—the Congress, which must not give up its constitutional right to declare war before American forces are committed to a war.

Opponents of the amendment claimed that it is unnecessary because the bill explicitly states that "Nothing in this title shall be construed as authorizing any member or unit of the Armed Forces of the United States to engage in combat against the Government of Nicaragua." The amendment is unconstitutional in that it attempts to confine and restrain the Constitutional powers of the President as Commander in Chief. In addition, it violates the Rio Treaty which provides that if one nation needs assistance, the other signatory nations shall provide it, including combat troops if necessary.

H.R. 5052: Vote Nos. 211-218, 220-230.

RESULT: MOTION TO TABLE AGREED TO

YEAS (60)			NAYS (40)			NOT VOTING (0)	
Democrats (13 or 28%)	Republicans (47 or 89%)		Democrats (34 or 72%)		Republicans (6 or 11%)	Democrats (0)	Republicans (0)
Baucus	Abdnor	Humphrey	Bentsen	Kerry	Andrews		
Bradley	Armstrong	Kassebaum	Biden	Lautenberg	Hatfield		
Bumpers	Boschwitz	Kasten	Bingaman	Leahy	Mathias		
Chiles	Broyhill	Laxalt	Boren	Levin	Specter		
Dixon	Chafee	Lugar	Burdick	Matsunaga	Stafford		
Glenn	Cochran	Mattingly	Byrd	Melcher	Weicker		
Heflin	Cohen	McClure	Cranston	Metzenbaum			
Hollings	D'Amato	McConnell	DeConcini	Mitchell			
Johnston	Danforth	Murkowski	Dodd	Moynihan			
Long	Denton	Nickles	Eagleton	Pell			
Nunn	Dole	Packwood	Exon	Proxmire			
Stennis	Domenici	Pressler	Ford	Pryor			
Zorinsky	Durenberger	Quayle	Gore	Riegle			
	Evans	Roth	Harkin	Rockefeller			
	Garn	Rudman	Hart	Sarbanes			
	Goldwater	Simpson	Inouye	Sasser			
	Gorton	Stevens	Kennedy	Simon			
	Gramm	Symms					
	Grassley	Thurmond					
	Hatch	Trible					
	Hawkins	Wallop					
	Hecht	Warner					
	Heinz	Wilson					
	Helms						

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 72%
Republicans— 89%

Measure of Party Support on Issue as Voted on

For (60)
Democrats— 13 or 22%
Republicans— 47 or 78%

Against (40)
Democrats— 34 or 85%
Republicans— 6 or 15%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 213

99th Congress
2nd Session

August 12, 1986, 8:41 p.m.
Temp. Cong. Rec. p. S-11406

NICARAGUAN CONTRA AID/MILITARY CONSTRUCTION APPROPRIATIONS, 1987

BILL NO.: H.R. 5052

AMENDMENT NO.: 2711

SUBJECT: **Lugar motion to table the Byrd amendment which restricts assistance for the Contras to those funds in this Act, or as subsequently authorized by law; defines "assistance" as any grant, loan, sale, lease, credit, guaranty, insurance, or properly chargeable service; prohibits any use of the CIA's reserve for contingencies in any way to assist military or paramilitary operations in Nicaragua, unless authorized by law; and does not prevent collection, analysis, or production of intelligence information or the conduct of diplomatic activities.** (See also Vote No. 228.)

NOTE: Proponents of the amendment contended that aid to the Contras will not stop with the current $100 million request. The Administration has vast sums in various accounts that can be diverted to the Contras, and unless the Senate acts to prevent it, hundreds of thousands of dollars in additional aid could be channelled to the Contras. An American Embassy official in Honduras has verified that the CIA plans to provide almost $400 million in unappropriated aid to the Contras by loaning them CIA-owned materiel. The amendment would eliminate this back door "lend-lease" program by restricting aid to the Contras to only that amount which the Administration has publicly requested. Considering that over 60 percent of the American people are against U.S. involvement in Nicaragua, the President should publicly request any additional aid if he is planning a higher level of involvement.

Opponents of the amendment claimed that it merely duplicates provisions already in the bill prohibiting the use of any funds for assistance to the Contras other than the funds specifically authorized. The bill also contains a series of checks and balances, they maintained, to ensure that the funds are used only for authorized purposes.

H.R. 5052: Vote Nos. 211-218, 220-230.

RESULT: MOTION TO TABLE AGREED TO

YEAS (51)			NAYS (47)			NOT VOTING (2)	
Democrats (4 or 9%)	Republicans (47 or 89%)		Democrats (41 or 91%)		Republicans (6 or 11%)	Democrats (2)	Republicans (0)
Heflin	Abdnor	Humphrey	Baucus	Kennedy	Chafee	Glenn—2AN	
Hollings	Andrews	Kassebaum	Bentsen	Kerry	Hatfield	Stennis—1	
Johnston	Armstrong	Kasten	Biden	Lautenberg	Mathias		
Long	Boschwitz	Laxalt	Bingaman	Leahy	Packwood		
	Broyhill	Lugar	Boren	Levin	Specter		
	Cochran	Mattingly	Bradley	Matsunaga	Weicker	EXPLANATION OF ABSENCE:	
	Cohen	McClure	Bumpers	Melcher		1—Official Business	
	D'Amato	McConnell	Burdick	Metzenbaum		2—Necessarily Absent	
	Danforth	Murkowski	Byrd	Mitchell		3—Illness	
	Denton	Nickles	Chiles	Moynihan		4—Other	
	Dole	Pressler	Cranston	Nunn			
	Domenici	Quayle	DeConcini	Pell		SYMBOLS:	
	Durenberger	Roth	Dixon	Proxmire		AY—Announced Yea	
	Evans	Rudman	Dodd	Pryor		AN—Announced Nay	
	Garn	Simpson	Eagleton	Riegle		PY—Paired Yea	
	Goldwater	Stafford	Exon	Rockefeller		PN—Paired Nay	
	Gorton	Stevens	Ford	Sarbanes			
	Gramm	Symms	Gore	Sasser			
	Grassley	Thurmond	Harkin	Simon			
	Hatch	Trible	Hart	Zorinsky			
	Hawkins	Wallop	Inouye				
	Hecht	Warner					
	Heinz	Wilson					
	Helms						

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—91%
Republicans—89%

Measure of Party Support on Issue as Voted on

For (51):
Democrats—4 or 8%
Republicans—47 or 92%

Against (47):
Democrats—41 or 87%
Republicans—6 or 13%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 214

99th Congress
2nd Session

August 12, 1986, 9:33 p.m.
Temp. Cong. Rec. p. S-11409

NICARAGUAN CONTRA AID/MILITARY CONSTRUCTION APPROPRIATIONS, 1987

BILL NO.: H.R. 5052

AMENDMENT NO.: 2712

SUBJECT: **Lugar motion to table the Dodd amendment which prohibits the use of funds in this Act to support military actions in, over, or offshore from the territory of Nicaragua which are directed against civilians or are likely to result in the loss of civilian lives; and requires GAO to carefully monitor this funding prohibition and report quarterly to Congress.**

NOTE: Proponents of the amendment asserted that Congress should assure the American taxpayers that funds received by the Contras are used for the specific purpose intended by the Congress. Although it is unavoidable that innocent civilians become accidental targets during war, this amendment seeks to insure that they do not become explicit targets. The Contras have been known to engage in terrorist activities and should not commit human rights violations while seeking democratic principles.

Opponents of the amendment claimed that it duplicates a provision in the bill prohibiting the use of funds by anyone engaged in human rights violations. It goes too far, however, in expecting that, in a combat situation, it would be possible to discern how U.S. dollars are being used. This "killer" amendment is no more than an indirect attempt to prevent or delay any economic assistance to the Nicaraguan resistance.

H.R. 5052: Vote Nos. 211-218, 220-230.

RESULT: MOTION TO TABLE AGREED TO

YEAS (51)

Democrats (7 or 16%)	Republicans (44 or 83%)	
Boren	Abdnor	Humphrey
Chiles	Andrews	Kassebaum
Dixon	Armstrong	Kasten
Heflin	Boschwitz	Laxalt
Hollings	Broyhill	Lugar
Long	Cochran	Mattingly
Zorinsky	D'Amato	McClure
	Danforth	McConnell
	Denton	Murkowski
	Dole	Nickles
	Domenici	Pressler
	Durenberger	Quayle
	Evans	Roth
	Garn	Rudman
	Goldwater	Simpson
	Gorton	Stevens
	Gramm	Symms
	Grassley	Thurmond
	Hatch	Trible
	Hawkins	Wallop
	Hecht	Warner
	Helms	Wilson

NAYS (47)

Democrats (38 or 84%)		Republicans (9 or 17%)
Bauc[illegible]	Kennedy	Chafee
Bentsen	Kerry	Cohen
Biden	Lautenberg	Hatfield
Bingaman	Leahy	Heinz
Bradley	Levin	Mathias
Bumpers	Matsunaga	Packwood
Burdick	Melcher	Specter
Byrd	Metzenbaum	Stafford
Cranston	Mitchell	Weicker
DeConcini	Moynihan	
Dodd	Nunn	
Eagleton	Pell	
Exon	Proxmire	
Ford	Pryor	
Gore	Riegle	
Harkin	Rockefeller	
Hart	Sarbanes	
Inouye	Sasser	
Johnston	Simon	

NOT VOTING (2)

Democrats (2) Republicans (0)

Glenn[2]
Stennis[2]

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—84%
Republicans—83%

Measure of Party Support on Issue as Voted on

For (51)
Democrats—7 or 14%
Republicans—44 or 86%

Against (47)
Democrats—38 or 81%
Republicans—9 or 19%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 217

99th Congress
2nd Session

August 13, 1986, 11:46 a.m.
Temp. Cong. Rec. p. S-11490

NICARAGUAN CONTRA AID/MILITARY CONSTRUCTION APPROPRIATIONS, 1987

BILL NO.: H.R. 5052

AMENDMENT NO.: 2717

SUBJECT: **Lugar motion to table the Melcher, et al, amendment which eliminates the President's authority to transfer 1986 P.L. 480 Food for Peace funds and African Famine Relief funds to provide $300 million in additional economic assistance to the four Central American countries of Costa Rica, El Salvador, Guatemala, and Honduras, thereby requiring the funds to be transferred out of existing foreign assistance appropriations and retaining the $300 million appropriation for African famine relief.**

NOTE: Proponents of the amendment asserted that $300 million is an unjustifiably large amount of additional economic assistance for Central America. If the Administration wants additional aid, it should take it from existing foreign assistance appropriations, not the African famine relief fund. Food needs in Africa have not been met—1.6 million more tons of grain are needed, and that figure will grow if the projected crop in six sub-Saharan countries is cut in half by grasshopper and locust infestations as predicted. Adoption of the amendment would assure continuation of overseas food assistance to the poor, the disadvantaged, and the disaster-stricken. The four proposed recipient Central American countries have not been consulted, and Congress does not even know how they plan to spend this aid. Twenty-seven million dollars is presently unexpended and available immediately for Central America.

Opponents of the amendment felt it was unnecessary because Title III was added to the bill to prevent any appropriated funds from being taken from famine relief and P.L. 480 assistance which has already been funded. American agriculture would not be hurt by the bill. However, by requiring the funds to come out of Title II of the foreign assistance appropriations, the amendment would force the U.S. to reduce expected or current allocations to some of its most important allies—Israel and Egypt, in particular.

H.R. 5052: Vote Nos. 211-218, 220-230.

RESULT: **MOTION TO TABLE AGREED TO**

YEAS (51)			NAYS (49)			NOT VOTING (0)	
Democrats (4 or 9%)	Republicans (47 or 89%)		Democrats (43 or 91%)		Republicans (6 or 11%)	Democrats (0)	Republicans (0)
Glenn	Armstrong	Kassebaum	Baucus	Kennedy	Abdnor		
Heflin	Boschwitz	Kasten	Bentsen	Kerry	Andrews		
Hollings	Broyhill	Laxalt	Biden	Lautenberg	Hatfield		
Rockefeller	Chafee	Lugar	Bingaman	Leahy	Pressler		
	Cochran	Mathias	Boren	Levin	Specter		
	Cohen	Mattingly	Bradley	Long	Weicker		
	D'Amato	McClure	Bumpers	Matsunaga			
	Danforth	McConnell	Burdick	Melcher			
	Denton	Murkowski	Byrd	Metzenbaum			
	Dole	Nickles	Chiles	Mitchell			
	Domenici	Packwood	Cranston	Moynihan			
	Durenberger	Quayle	DeConcini	Nunn			
	Evans	Roth	Dixon	Pell			
	Garn	Rudman	Dodd	Proxmire			
	Goldwater	Simpson	Eagleton	Pryor			
	Gorton	Stafford	Exon	Riegle			
	Gramm	Stevens	Ford	Sarbanes			
	Grassley	Symms	Gore	Sasser			
	Hatch	Thurmond	Harkin	Simon			
	Hawkins	Trible	Hart	Stennis			
	Hecht	Wallop	Inouye	Zorinsky			
	Heinz	Warner	Johnston				
	Helms	Wilson					
	Humphrey						

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—91%
Republicans—89%

Measure of Party Support on Issue as Voted on

For (51)
Democrats—4 or 8%
Republicans—47 or 92%

Against (49)
Democrats—43 or 88%
Republicans—6 or 12%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 221

99th Congress
2nd Session

August 13, 1986, 2:37 p.m.
Temp. Cong. Rec. p. S-11506

NICARAGUAN CONTRA AID/MILITARY CONSTRUCTION APPROPRIATIONS, 1987

BILL NO.: H.R. 5052

AMENDMENT NO.: 2718

SUBJECT: Mattingly motion to table the Leahy amendment which prohibits the CIA or any other U.S. intelligence agency or entity from assisting the Nicaraguan Contras (but in no way precludes normal intelligence gathering activities in Central America).

NOTE: Proponents of the amendment claimed that the Senate should not allow "the best intelligence agency in the world" to be dragged into—and consequently blamed for—a controversial war that even DOD does not believe will succeed. Involving the CIA would destroy attempts to restore public confidence in the agency, which has been eroded by such incidents as the mining of the Nicaraguan harbors, the CIA's involvement in the preparation of an assassination manual, and reports of atrocities committed by the Contras. Because the war will receive the sort of media attention that Vietnam did, DOD is better suited for the situation, which is not covert. The CIA should not divert its energies from intelligence gathering on terrorism in Europe and the Middle East, which presents a greater threat to national security than the conflict in Nicaragua. The amendment, however, does not preclude CIA from carrying out its normal intelligence gathering activities in Central America.

Opponents of the amendment argued that the U.S. should not cripple its half-billion dollar investment in the conflict in Nicaragua by limiting intelligence information to the Contra forces. Congress, too, will need accurate intelligence information in order to evaluate the conflict and account for U.S. expenditures. Title II of the bill prohibits the use of funds from other secret sources. Furthermore, assistance to the Contra forces will be supervised by the Secretary of State, not the CIA. The CIA was prohibited last year from any involvement in the administrative oversight of the $27 million. Accounting for these funds would have been a lot easier if the agency had been able to perform that function.

H.R. 5052: Vote Nos. 211-218, 220-230.

RESULT: MOTION TO TABLE AGREED TO

YEAS (57)			NAYS (42)			NOT VOTING (1)	
Democrats (14 or 30%)	Republicans (43 or 83%)		Democrats (33 or 70%)		Republicans (9 or 17%)	Democrats (0)	Republicans (1)
Bentsen	Abdnor	Humphrey	Baucus	Lautenberg	Andrews		Roth
Boren	Armstrong	Kasten	Biden	Leahy	Chafee		
Bradley	Boschwitz	Laxalt	Bingaman	Levin	Grassley		
Chiles	Broyhill	Lugar	Bumpers	Matsunaga	Hatfield		
DeConcini	Cochran	Mattingly	Burdick	Melcher	Kassebaum		
Dixon	Cohen	McClure	Byrd	Metzenbaum	Mathias		
Glenn	D'Amato	McConnell	Cranston	Mitchell	Specter		
Heflin	Danforth	Murkowski	Dodd	Pell	Stafford		
Hollings	Denton	Nickles	Eagleton	Proxmire	Weicker		
Johnston	Dole	Packwood	Exon	Pryor			
Long	Domenici	Pressler	Ford	Riegle			
Moynihan	Durenberger	Quayle	Gore	Rockefeller			
Nunn	Evans	Rudman	Harkin	Sarbanes			
Stennis	Garn	Simpson	Hart	Sasser			
	Goldwater	Stevens	Inouye	Simon			
	Gorton	Symms	Kennedy	Zorinsky			
	Gramm	Thurmond	Kerry				
	Hatch	Trible					
	Hawkins	Wallop					
	Hecht	Warner					
	Heinz	Wilson					
	Helms						

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion	Measure of Party Support on Issue as Voted on	
	For (57)	*Against* (42)
Democrats—70%	Democrats—14 or 25%	Democrats—33 or 79%
Republicans—83%	Republicans—43 or 75%	Republicans—9 or 21%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 222

99th Congress
2nd Session

August 13, 1986, 3:29 p.m.
Temp. Cong. Rec. p. S-11511

NICARAGUAN CONTRA AID/MILITARY CONSTRUCTION APPROPRIATIONS, 1987

BILL NO.: H.R. 5052

AMENDMENT NO.: 2719

SUBJECT: Lugar motion to table the Biden-Byrd-Sasser amendment ~~which prohibits the expenditure of $100 million~~ in Contra aid until the U.S. has proposed to Nicaragua to enter direct bilateral negotiations aimed at: (1) the successful conclusion of a security agreement which involves removal of Soviet-Cuban advisers, bars the establishment of a Soviet base in Nicaragua, and reduces Sandinista arms levels and prevents the acquisition of advanced weaponry by the Sandinistas; and (2) the successful conclusion of the Contadora process leading to a regional peace treaty.

NOTE: Proponents of the amendment argued that the U.S. should search for diplomatic solutions in Central America, and that the Administration should be compelled to enter bilateral negotiations with the government of Nicaragua aimed at successfully concluding the Contadora process. Since the U.S. already has diplomatic relations with the Sandinista government, nothing would be lost by entering negotiations. The Sandinistas are prepared to enter negotiations, and to discuss removing Soviet bloc influence from their government. The U.S. should not ignore an opportunity to remove Soviet influence from Central America. By refusing to negotiate, the U.S. appears to be an obstacle to progress. While the U.S. has the right to support a democratic resistance force, the Administration's policy will not serve U.S. interests and will ultimately involve U.S. troops.

Opponents of the amendment claimed that the root of the problem is not U.S. behavior but the unwillingness of the Sandinistas to honor the goals of the 1979 revolution. American negotiation with the Sandinistas would give them legitimacy and a reason to ignore Congress and other Nicaraguans. When the U.S. attempted to initiate talks, the Sandinistas permitted it to speak only to them. Since U.S. policy is to bring together a democratic Nicaragua, it must work toward getting Nicaraguans to negotiate with Nicaraguans. With U.S. support, the Contras will be able to pressure the Sandinistas into negotiations, and if a military conflict ensues, the Contras will be able to defend themselves.

H.R. 5052: Vote Nos. 211-218, 220-230.

RESULT: MOTION TO TABLE AGREED TO

ADMINISTRATION POSITION: YEA

YEAS (54)

Democrats (11 or 23%)	Republicans (43 or 83%)	
Bentsen	Abdnor	Humphrey
Boren	Andrews	Kassebaum
Bradley	Armstrong	Kasten
Chiles	Boschwitz	Laxalt
DeConcini	Broyhill	Lugar
Dixon	Cochran	Mattingly
Heflin	D'Amato	McClure
Hollings	Danforth	McConnell
Johnston	Denton	Murkowski
Long	Dole	Nickles
Nunn	Domenici	Pressler
	Evans	Quayle
	Garn	Roth
	Goldwater	Simpson
	Gorton	Stevens
	Gramm	Symms
	Grassley	Thurmond
	Hatch	Trible
	Hawkins	Wallop
	Hecht	Warner
	Heinz	Wilson
	Helms	

NAYS (45)

Democrats (36 or 77%)		Republicans (9 or 17%)
Baucus	Lautenberg	Chafee
Biden	Leahy	Cohen
Bingaman	Levin	Durenberger
Bumpers	Matsunaga	Hatfield
Burdick	Melcher	Mathias
Byrd	Metzenbaum	Packwood
Cranston	Mitchell	Specter
Dodd	Moynihan	Stafford
Eagleton	Pell	Weicker
Exon	Proxmire	
Ford	Pryor	
Glenn	Riegle	
Gore	Rockefeller	
Harkin	Sarbanes	
Hart	Sasser	
Inouye	Simon	
Kennedy	Stennis	
Kerry	Zorinsky	

NOT VOTING (1)

Democrats (0)	Republicans (1)
	Rudman—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion	Measure of Party Support on Issue as Voted on	
	For (54)	*Against* (45)
Democrats—77%	Democrats—11 or 20%	Democrats—36 or 80%
Republicans—83%	Republicans—43 or 80%	Republicans—9 or 20%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 223

99th Congress
2nd Session

August 13, 1986, 4:59 p.m.
Temp. Cong. Rec. p. S-11520

NICARAGUAN CONTRA AID/MILITARY CONSTRUCTION APPROPRIATIONS, 1987

BILL NO.: H.R. 5052

AMENDMENT NO.: 2720

SUBJECT: **Lugar motion to table the Byrd amendment which earmarks $450,000 of the $100 million in Contra aid for the funding of the Nicaraguan newspaper La Prensa during the period that the Nicaraguan government does not permit the paper to publish; and requires the Secretary of State to submit a classified report to Congress, 30 days after enactment, describing the manner in which this aid is delivered.**

NOTE: Proponents of the amendment felt that revitalization of the free press in Nicaragua would deal a great blow to the Sandinista regime. Through a free press, the Nicaraguan people can learn about their government and make their own decisions about the kind of government they want. The U.S. will be providing $70 million in military aid, and it is certainly worthwhile to spend less than half-a-million on a free press.

Opponents of the amendment observed that the newspaper's problem is one of politics, not economics. Adoption of the amendment would modify Title II and make it conferenceable, thus delaying or even killing the Contra aid package already approved by the House.

H.R. 5052: Vote Nos. 211-218, 220-230.

RESULT: MOTION TO TABLE AGREED TO

YEAS (57)			NAYS (43)			NOT VOTING (0)	
Democrats (7 or 15%)	Republicans (50 or 94%)		Democrats (40 or 85%)		Republicans (3 or 6%)	Democrats (0)	Republicans (0)
Bradley	Abdnor	Humphrey	Baucus	Johnston	Hatfield		
Chiles	Andrews	Kassebaum	Bentsen	Kennedy	Mathias		
Heflin	Armstrong	Kasten	Biden	Kerry	Packwood		
Hollings	Boschwitz	Laxalt	Bingaman	Lautenberg			
Long	Broyhill	Lugar	Boren	Leahy			
Nunn	Chafee	Mattingly	Bumpers	Levin			
Zorinsky	Cochran	McClure	Burdick	Matsunaga			
	Cohen	McConnell	Byrd	Melcher			
	D'Amato	Murkowski	Cranston	Metzenbaum			
	Danforth	Nickles	DeConcini	Mitchell			
	Denton	Pressler	Dixon	Moynihan			
	Dole	Quayle	Dodd	Pell			
	Domenici	Roth	Eagleton	Proxmire			
	Durenberger	Rudman	Exon	Pryor			
	Evans	Simpson	Ford	Riegle			
	Garn	Specter	Glenn	Rockefeller			
	Goldwater	Stafford	Gore	Sarbanes			
	Gorton	Stevens	Harkin	Sasser			
	Gramm	Symms	Hart	Simon			
	Grassley	Thurmond	Inouye	Stennis			
	Hatch	Trible					
	Hawkins	Wallop					
	Hecht	Warner					
	Heinz	Weicker					
	Helms	Wilson					

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion	Measure of Party Support on Issue as Voted on	
	For (57)	*Against* (43)
Democrats— 85%	Democrats— 7 or 12%	Democrats— 40 or 93%
Republicans— 94%	Republicans— 50 or 88%	Republicans— 3 or 7%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 224

99th Congress
2nd Session

August 13, 1986, 5:48 p.m.
Temp. Cong. Rec. p. S-11524

NICARAGUAN CONTRA AID/MILITARY CONSTRUCTION APPROPRIATIONS, 1987

BILL NO.: H.R. 5052 **AMENDMENT NO.:** 2721

SUBJECT: **Kerry amendment which provides that aid to the Contras shall cease if Nicaragua and its neighbors sign a Contadora agreement which provides for democratic pluralism, national reconciliation, an arms import freeze, withdrawal of Soviet bloc advisers, termination of support for Salvadoran guerrillas, a prohibition on foreign military bases, and the establishment of a verification and control commission with full on-site inspection powers.**

NOTE: Proponents pointed out that the Contadora Document of Objectives requires that aid to the Contras cease after all parties sign a Contadora Agreement. Adoption of this amendment would send a clear signal to Central America that the United States supports and intends to abide by implementation of the Document of Objectives. Unlike the language in the bill, it supports the Contadora process and assures the Central Americans involved that if they can reach an agreement, U.S. aid to the Contras will end.

Opponents contended that the amendment was unnecessary because the bill states that aid to the Contras will be cut off when the President determines that an agreement has been reached among the Central American countries, the Government of Nicaragua enters negotiations with the Contras, or the Congress enacts a joint resolution disapproving assistance. The President should be trusted to make this determination and, if not, Congress can act. This additional language would confuse the provisions terminating aid.

H.R. 5052: Vote Nos. 211-218, 220-230.

RESULT: **AMENDMENT REJECTED**

YEAS (46)

Democrats (40 or 85%)		Republicans (6 or 11%)
Baucus	Kennedy	Andrews
Biden	Kerry	Chafee
Bingaman	Lautenberg	Durenberger
Bradley	Leahy	Hatfield
Bumpers	Levin	Packwood
Burdick	Matsunaga	Specter
Byrd	Melcher	
Cranston	Metzenbaum	
DeConcini	Mitchell	
Dixon	Moynihan	
Dodd	Nunn	
Eagleton	Pell	
Exon	Proxmire	
Ford	Pryor	
Glenn	Riegle	
Gore	Rockefeller	
Harkin	Sarbanes	
Hart	Sasser	
Inouye	Simon	
Johnston	Zorinsky	

NAYS (54)

Democrats (7 or 15%)	Republicans (47 or 89%)	
Bentsen	Abdnor	Kasten
Boren	Armstrong	Laxalt
Chiles	Boschwitz	Lugar
Heflin	Broyhill	Mathias
Hollings	Cochran	Mattingly
Long	Cohen	McClure
Stennis	D'Amato	McConnell
	Danforth	Murkowski
	Denton	Nickles
	Dole	Pressler
	Domenici	Quayle
	Evans	Roth
	Garn	Rudman
	Goldwater	Simpson
	Gorton	Stafford
	Gramm	Stevens
	Grassley	Symms
	Hatch	Thurmond
	Hawkins	Trible
	Hecht	Wallop
	Heinz	Warner
	Helms	Weicker
	Humphrey	Wilson
	Kassebaum	

NOT VOTING (0)

Democrats (0) Republicans (0)

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—85%
Republicans—89%

Measure of Party Support on Issue as Voted on

For (46)
Democrats—40 or 87%
Republicans—6 or 13%

Against (54)
Democrats—7 or 13%
Republicans—47 or 87%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 225

99th Congress
2nd Session

August 13, 1986, 6:23 p.m.
Temp. Cong. Rec. p. S-11526

NICARAGUAN CONTRA AID/MILITARY CONSTRUCTION APPROPRIATIONS, 1987

BILL NO.: H.R. 5052 **AMENDMENT NO.:** 2722

SUBJECT: **Lugar motion to table the Simon amendment which requires the President to provide the General Accounting Office, every 30 days, with a full accounting of all goods and services purchased with funds provided to the Contras under this bill; and requires GAO to submit this Presidential report to Congress, within 15 days of its receipt, together with its own analysis of the data.**

NOTE: Proponents of the amendment stated that of the $27 million in Contra aid appropriated last year, $15 million is not accounted for, and those funds which are accounted for have been misused. GAO has found that the funds were channelled into offshore banks, black market currency deals, falsified receipts, and payments to the commander in chief of the Honduran armed forces. Clearly, tighter accountability procedures need to be instituted to ensure that the $100 million in aid appropriated in this bill is used as Congress intends.

Opponents of the amendment contended that the language already in the bill is sufficient. It requires the President to report on disbursements and fund transfers, as well as on the negotiations toward a settlement of the conflict in Central America. The bill contains adequate safeguards including monitoring deliveries and keeping complete records available for audit by representatives of the U.S. government. This amendment would add only unnecessary reporting requirements, creating confusion and more paperwork.

H.R. 5052: Vote Nos. 211-218, 220-230.

RESULT: **MOTION TO TABLE AGREED TO**

YEAS (57)

Democrats (7 or 15%)	Republicans (50 or 94%)	
Bentsen	Abdnor	Humphrey
Boren	Andrews	Kassebaum
Bradley	Armstrong	Kasten
Glenn	Boschwitz	Laxalt
Heflin	Broyhill	Lugar
Hollings	Chafee	Mathias
Long	Cochran	Mattingly
	Cohen	McClure
	D'Amato	McConnell
	Danforth	Murkowski
	Denton	Nickles
	Dole	Packwood
	Domenici	Pressler
	Durenberger	Quayle
	Evans	Roth
	Garn	Rudman
	Goldwater	Simpson
	Gorton	Stafford
	Gramm	Stevens
	Grassley	Symms
	Hatch	Thurmond
	Hawkins	Trible
	Hecht	Wallop
	Heinz	Warner
	Helms	Wilson

NAYS (43)

Democrats (40 or 85%)		Republicans (3 or 6%)
Baucus	Kerry	Hatfield
Biden	Lautenberg	Specter
Bingaman	Leahy	Weicker
Bumpers	Levin	
Burdick	Matsunaga	
Byrd	Melcher	
Chiles	Metzenbaum	
Cranston	Mitchell	
DeConcini	Moynihan	
Dixon	Nunn	
Dodd	Pell	
Eagleton	Proxmire	
Exon	Pryor	
Ford	Riegle	
Gore	Rockefeller	
Harkin	Sarbanes	
Hart	Sasser	
Inouye	Simon	
Johnston	Stennis	
Kennedy	Zorinsky	

NOT VOTING (0)

Democrats (0) Republicans (0)

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 85%
Republicans— 94%

Measure of Party Support on Issue as Voted on

For (57)
Democrats— 7 or 12%
Republicans— 50 or 88%

Against (43)
Democrats— 40 or 93%
Republicans— 3 or 7%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 226

99th Congress
2nd Session

August 13, 1986, 6:52 p.m.
Temp. Cong. Rec. p. S-11528

NICARAGUAN CONTRA AID/MILITARY CONSTRUCTION APPROPRIATIONS, 1987

BILL NO.: H.R. 5052 AMENDMENT NO.: 2723

SUBJECT: **Lugar motion to table the Simon amendment which transfers $50 million from the $300 million in Title II (for economic aid to four Central American countries) to the International Fund for Agricultural Development (IFAD) and earmarks $25 million each for (1) the U.S. contribution to the special program for sub-Saharan African countries affected by drought, and (2) locust eradication and other projects for poor farmers in Africa.**

NOTE: Proponents of the amendment argued that Central American aid funds would be better spent for food assistance to the victims of drought and famine in Africa. The Administration spends only one-sixteenth as much per capita in needy African countries as it does in Central America, and yet it has proposed cutting the International Fund for Agricultural Development by $4 million and eliminating this year's contribution to its special fund. At the same time, the Administration has asked Congress to provide $100 million in aid for Central America, in addition to $500 million which is already in the pipeline. This is another example of the Administration's misplaced priorities. The African famine may have disappeared from the headlines, but the dire need of African farmers continues.

Opponents of the amendment asserted that the purpose of the bill is to try to bring peace, stability, and democracy to Central America. Taking $50 million away from this aid package would greatly impair those efforts. In addition, the amendment alters Title II and, if adopted, would force a conference between the House and Senate, thus further delaying, or even killing, much needed assistance to Central America.

H.R. 5052: Vote Nos. 211-218, 220-230.

RESULT: **MOTION TO TABLE AGREED TO**

YEAS (64)			NAYS (36)			NOT VOTING (0)	
Democrats (14 or 30%)	Republicans (50 or 94%)		Democrats (33 or 70%)		Republicans (3 or 6%)	Democrats (0)	Republicans (0)
Bentsen	Abdnor	Humphrey	Baucus	Leahy	Hatfield		
Boren	Andrews	Kassebaum	Biden	Levin	Mathias		
Bumpers	Armstrong	Kasten	Bingaman	Matsunaga	Specter		
Chiles	Boschwitz	Laxalt	Bradley	Melcher			
Exon	Broyhill	Lugar	Burdick	Metzenbaum			
Ford	Chafee	Mattingly	Byrd	Mitchell			
Glenn	Cochran	McClure	Cranston	Nunn			
Heflin	Cohen	McConnell	DeConcini	Pell			
Hollings	D'Amato	Murkowski	Dixon	Proxmire			
Johnston	Danforth	Nickles	Dodd	Pryor			
Lautenberg	Denton	Packwood	Eagleton	Riegle			
Long	Dole	Pressler	Gore	Rockefeller			
Moynihan	Domenici	Quayle	Harkin	Sarbanes			
Zorinsky	Durenberger	Roth	Hart	Sasser			
	Evans	Rudman	Inouye	Simon			
	Garn	Simpson	Kennedy	Stennis			
	Goldwater	Stafford	Kerry				
	Gorton	Stevens					
	Gramm	Symms					
	Grassley	Thurmond					
	Hatch	Trible					
	Hawkins	Wallop					
	Hecht	Warner					
	Heinz	Weicker					
	Helms	Wilson					

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion	Measure of Party Support on Issue as Voted on	
	For (64)	*Against* (36)
Democrats—70%	Democrats—14 or 22%	Democrats—33 or 92%
Republicans—94%	Republicans—50 or 78%	Republicans—3 or 8%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 227

99th Congress
2nd Session

August 13, 1986. 8:37 p.m.
Temp. Cong. Rec. p. S-11532

NICARAGUAN CONTRA AID/MILITARY CONSTRUCTION APPROPRIATIONS, 1987

BILL NO.: H.R. 5052

AMENDMENT NO.: 2725

SUBJECT: **Lugar motion to table the Harkin amendment which transfers $50 million of the Contra aid funds for disaster relief for U.S. farmers and ranchers suffering from drought, excessive heat, or flood disasters and limits assistance to $5,000 per producer.**

NOTE: Proponents of the amendment felt that the funds would be better used by America's farmers and ranchers who are suffering grievously as a result of drought and floods in 1986. With a $5,000 cap per farmer, ten thousand farmers would at least be able to put food on the table until the next planting season. More money needs to be made available for disaster assistance because very little in actual aid to farmers has been forthcoming from this Administration.

Opponents of the amendment pointed out that the Senate already has passed legislation that provides $600 million in new disaster assistance. American farmers are deeply concerned about the security of the U.S. and its ability to export goods and services to Central America. Adoption of this amendment would be devastating to attempts to aid the Contras in bringing about democracy and peace in Central America.

H.R. 5052: Vote Nos. 211-218, 220-230.

RESULT: MOTION TO TABLE AGREED TO

YEAS (58)

Democrats (12 or 26%)	Republicans (46 or 87%)	
Bentsen	Andrews	Kassebaum
Boren	Armstrong	Kasten
Bradley	Boschwitz	Laxalt
Chiles	Broyhill	Lugar
DeConcini	Chafee	Mathias
Dixon	Cochran	Mattingly
Hollings	Cohen	McClure
Johnston	D'Amato	McConnell
Long	Danforth	Murkowski
Moynihan	Denton	Nickles
Nunn	Dole	Pressler
Stennis	Domenici	Quayle
	Evans	Roth
	Garn	Rudman
	Goldwater	Simpson
	Gorton	Stevens
	Gramm	Symms
	Hatch	Thurmond
	Hawkins	Trible
	Hecht	Wallop
	Heinz	Warner
	Helms	Weicker
	Humphrey	Wilson

NAYS (41)

Democrats (34 or 74%)		Republicans (7 or 13%)
Baucus	Kerry	Abdnor
Biden	Lautenberg	Durenberger
Bingaman	Leahy	Grassley
Bumpers	Levin	Hatfield
Burdick	Matsunaga	Packwood
Byrd	Melcher	Specter
Cranston	Metzenbaum	Stafford
Dodd	Mitchell	
Exon	Pell	
Ford	Proxmire	
Glenn	Pryor	
Gore	Riegle	
Harkin	Rockefeller	
Hart	Sarbanes	
Heflin	Sasser	
Inouye	Simon	
Kennedy	Zorinsky	

NOT VOTING (1)

Democrats (1): Eagleton

Republicans (0)

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—74%
Republicans—87%

Measure of Party Support on Issue as Voted on

For (58)
Democrats—12 or 21%
Republicans—46 or 79%

Against (41)
Democrats—34 or 83%
Republicans—7 or 17%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 228

99th Congress
2nd Session

August 13, 1986, 9:31 p.m.
Temp. Cong. Rec. p. S-11539

NICARAGUAN CONTRA AID/MILITARY CONSTRUCTION APPROPRIATIONS, 1987

BILL NO.: H.R. 5052

AMENDMENT NO.: 2726

SUBJECT: Lugar motion to table the Byrd amendment which limits Contra aid to that amount specifically provided in this Act; specifies that such "assistance" include any grant, sale, lease, bailment, credit, guaranty, insurance, or properly chargeable service; and prohibits the use of funds from the reserve fund for contingencies of the CIA to support any operations in Nicaragua by any nation, group, or individual unless these activities have been authorized by Congress. (The Byrd amendment No. 2726 was a virtual duplicate of the earlier Byrd amendment No. 2711—Vote No. 213—except that the second amendment was proposed to be added to Title III rather than Title II to counter Republican arguments that any amendment to Title II was an indirect attempt to "kill" Contra aid by forcing a conference with the House on the differing Contra provisions.)

NOTE: Proponents of the amendment maintained that it sought to limit aid to the Contras to the amount the Administration had publicly requested and Congress appropriated. It is imperative, they argued, that the Administration not be given carte blanche to escalate the war in Central America by providing additional unappropriated aid through the use of the CIA contingency fund or through a transfer of resources in a lend-lease military aid program. Despite claims of the managers, these approaches have not been prohibited as a way to use secret tax dollars for a secret war.

Opponents of the amendment reminded the Senate that a similar amendment had been defeated by a 51-47 vote the previous day. This amendment duplicates provisions already in the bill prohibiting the use of any funds for Contra aid other than those specifically authorized. The bill also contains sufficient checks and balances, they claimed, to ensure that the funds are used only for authorized purposes.

H.R. 5052: Vote Nos. 211-218, 220-230.

RESULT: MOTION TO TABLE AGREED TO

YEAS (52)			NAYS (48)			NOT VOTING (0)	
Democrats (5 or 11%)	Republicans (47 or 89%)		Democrats (42 or 89%)		Republicans (6 or 11%)	Democrats (0)	Republicans (0)
Dixon	Abdnor	Humphrey	Baucus	Kennedy	Chafee		
Heflin	Andrews	Kassebaum	Bentsen	Kerry	Hatfield		
Hollings	Armstrong	Kasten	Biden	Lautenberg	Mathias		
Johnston	Boschwitz	Laxalt	Bingaman	Leahy	Packwood		
Long	Broyhill	Lugar	Boren	Levin	Specter		
	Cochran	Mattingly	Bradley	Matsunaga	Weicker		
	Cohen	McClure	Bumpers	Melcher			
	D'Amato	McConnell	Burdick	Metzenbaum			
	Danforth	Murkowski	Byrd	Mitchell			
	Denton	Nickles	Chiles	Moynihan			
	Dole	Pressler	Cranston	Nunn			
	Domenici	Quayle	DeConcini	Pell			
	Durenberger	Roth	Dodd	Proxmire			
	Evans	Rudman	Eagleton	Pryor			
	Garn	Simpson	Exon	Riegle			
	Goldwater	Stafford	Ford	Rockefeller			
	Gorton	Stevens	Glenn	Sarbanes			
	Gramm	Symms	Gore	Sasser			
	Grassley	Thurmond	Harkin	Simon			
	Hatch	Trible	Hart	Stennis			
	Hawkins	Wallop	Inouye	Zorinsky			
	Hecht	Warner					
	Heinz	Wilson					
	Helms						

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—89%
Republicans—89%

Measure of Party Support on Issue as Voted on

For (52)
Democrats—5 or 10%
Republicans—47 or 90%

Against (48)
Democrats—42 or 87.5%
Republicans—6 or 12.5%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 229

99th Congress
2nd Session

August 13, 1986, 9:54 p.m.
Temp. Cong. Rec. p. S-11542

NICARAGUAN CONTRA AID/MILITARY CONSTRUCTION APPROPRIATIONS, 1987

BILL NO.: H.R. 5052

SUBJECT: Titles II and III, en bloc, which provides $100 million, by transfer from already appropriated FY 1986 Department of Defense funds, to aid the Nicaraguan democratic resistance (Contras) and $300 million in additional economic aid to Costa Rica, El Salvador, Guatemala, and Honduras; specifies that $30 million of the $100 million to the Contras is for humanitarian aid and $70 million is for military assistance; makes $40 million available for obligation and expenditure immediately but fences the remaining funds so that $20 million would be available no earlier than October 15, 1986, and the remaining $40 million would be available no earlier than February 15, 1987. (See major provisions on Vote No. 230 for further detail.)

H.R. 5052: Vote Nos. 211-218, 220-230.

RESULT: AMENDMENT AGREED TO

YEAS (53)			NAYS (47)			NOT VOTING (0)	
Democrats (11 or 23%)	Republicans (42 or 79%)		Democrats (36 or 77%)		Republicans (11 or 21%)	Democrats (0)	Republicans (0)
Bentsen	Armstrong	Kassebaum	Baucus	Kerry	Abdnor		
Boren	Boschwitz	Kasten	Biden	Lautenberg	Andrews		
Bradley	Broyhill	Laxalt	Bingaman	Leahy	Chafee		
Chiles	Cochran	Lugar	Bumpers	Levin	Durenberger		
Dixon	Cohen	Mattingly	Burdick	Matsunaga	Gorton		
Heflin	D'Amato	McClure	Byrd	Melcher	Hatfield		
Hollings	Danforth	McConnell	Cranston	Metzenbaum	Mathias		
Johnston	Denton	Murkowski	DeConcini	Mitchell	Packwood		
Long	Dole	Nickles	Dodd	Moynihan	Specter		
Nunn	Domenici	Pressler	Eagleton	Pell	Stafford		
Stennis	Evans	Quayle	Exon	Proxmire	Weicker		
	Garn	Roth	Ford	Pryor			
	Goldwater	Rudman	Glenn	Riegle			
	Gramm	Simpson	Gore	Rockefeller			
	Grassley	Stevens	Harkin	Sarbanes			
	Hatch	Symms	Hart	Sasser			
	Hawkins	Thurmond	Inouye	Simon			
	Hecht	Trible	Kennedy	Zorinsky			
	Heinz	Wallop					
	Helms	Warner					
	Humphrey	Wilson					

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 77%
Republicans— 79%

Measure of Party Support on Issue as Voted on

For (53)
Democrats— 11 or 21%
Republicans— 42 or 79%

Against (47)
Democrats— 36 or 77%
Republicans— 11 or 23%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 230

99th Congress
2nd Session

August 13, 1986, 10:06 p.m.
Temp. Cong. Rec. p. 11543

NICARAGUAN CONTRA AID/MILITARY CONSTRUCTION APPROPRIATIONS, 1987

BILL NO.: H.R. 5052

SUBJECT: Passage of the bill which appropriates $8,223,981,000 in new budget authority for military construction for the Department of Defense for FY 1987; provides $100 million, by transfer from already appropriated FY 1986 Department of Defense funds, to aid the Nicaraguan democratic resistance (Contras) and $300 million in additional economic aid to Costa Rica, El Salvador, Guatemala, and Honduras; specifies that $30 million of the $100 million to the Contras is for humanitarian aid and $70 million is for military assistance; makes $40 million available for obligation and expenditure immediately but fences the remaining funds so that $20 million would be available no earlier than October 15, 1986, and the remaining $40 million would be available no earlier than February 15, 1987.

NOTE: Provisions were included in H.J. Res. 738, the FY 1987 Continuing Resolution, which became Public Law 99-500, approved October 18, 1986.

H.R. 5052: Vote Nos. 211-218, 220-230.

RESULT: BILL PASSED

YEAS (59)

Democrats (13 or 28%)	Republicans (46 or 87%)	
Bentsen	Abdnor	Kassebaum
Boren	Andrews	Kasten
Bradley	Armstrong	Laxalt
Chiles	Boschwitz	Lugar
Dixon	Broyhill	Mattingly
Heflin	Chafee	McClure
Hollings	Cochran	McConnell
Johnston	Cohen	Murkowski
Lautenberg	D'Amato	Nickles
Long	Danforth	Pressler
Mitchell	Denton	Quayle
Nunn	Dole	Roth
Stennis	Domenici	Rudman
	Garn	Simpson
	Goldwater	Specter
	Gramm	Stafford
	Grassley	Stevens
	Hatch	Symms
	Hawkins	Thurmond
	Hecht	Trible
	Heinz	Wallop
	Helms	Warner
	Humphrey	Wilson

NAYS (41)

Democrats (34 or 72%)		Republicans (7 or 13%)
Baucus	Kennedy	Durenberger
Biden	Kerry	Evans
Bingaman	Leahy	Gorton
Bumpers	Levin	Hatfield
Burdick	Matsunaga	Mathias
Byrd	Melcher	Packwood
Cranston	Metzenbaum	Weicker
DeConcini	Moynihan	
Dodd	Pell	
Eagleton	Proxmire	
Exon	Pryor	
Ford	Riegle	
Glenn	Rockefeller	
Gore	Sarbanes	
Harkin	Sasser	
Hart	Simon	
Inouye	Zorinsky	

NOT VOTING (0)

Democrats (0) Republicans (0)

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 72%
Republicans— 87%

Measure of Party Support on Issue as Voted on

For (59)
Democrats— 13 or 22%
Republicans— 46 or 78%

Against (41)
Democrats— 34 or 83%
Republicans— 7 or 17%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

MAJOR PROVISIONS

Appropriates a total of $8,223,981,000 in new budget authority for FY 1987 for the military construction functions administered by the Department of Defense.

Central American/Contra Aid: Provides $100 million, by transfer from already appropriated FY 1986 Department of Defense funds, to aid the Nicaraguan democratic resistance (Contras) of which $30 million is for humanitarian aid; makes $40 million available for obligation and expenditure immediately and fences the remaining funds so that an additional $20 million would be available no earlier than October 15, 1986, and the remaining $40 million would be available no earlier than February 15, 1987; bars release of the fenced funds for a period of 15 days after receipt of a Presidential report to Congress stating his determination that efforts to reach a negotiated agreement have not been successful, that the Contras have taken steps to assure that appropriate accounting procedures exist, and that the Contras have undertaken a series of reform measures; gives Congress the right to disapprove additional aid by enactment of a joint resolution (which could be vetoed, and therefore would need two-thirds support in both Houses to be overridden); cuts off all military assistance to the Contras if the President determines that negotiations by the Government of Nicaragua and the Contras are successful or a serious dialogue begins and provides that funds remaining would be used for relief and reconstruction in Central America.

Prohibits U.S. Government personnel from providing any training or other service, or participating directly or indirectly in the provision of any assistance pursuant to this title, to the Contras on Honduran and Costa Rican land areas which are within 20 miles of the Nicaraguan border.

Contains authority to transfer $300 million, as requested by the President in his June 24, 1986, speech, for additional economic aid for Costa Rica, El Salvador, Guatemala, and Honduras by increasing the Emergency Reserve for African Famine Relief by $300 million, to $525 million, and providing authority for the President to use this account, 1986 P.L. 480 funds, and/or 1986 Foreign Aid funds (ESF), to provide $300 million in economic aid to these specified Central American countries.

Establishes a five-member commission on Central American negotiations, to be appointed by the Democratic and Republican Leadership of both Houses of Congress, to monitor Contra efforts to comply with these requirements and report to Congress on the status of negotiations, disbursement and accounting of funds, and human rights violations.

Navy Homeporting: Authorizes a five-year construction plan costing no more than $799 million for the Navy's strategic homeporting initiative, which calls for the dispersal of more than 60 ships from two carrier groups, three battleship groups, and Naval Reserve forces to 12 locations on the east, west, and Gulf coasts of the U.S. and Hawaii.

Strategic Defense Initiative (SDI): Contains for the SDI, $4.14 million for a rocket propulsion lab at Edwards Air Force Base, California; $2.89 million for the intermediate ballistic missile launch complex at the Pacific Missile Range, Hawaii; $1.93 million for the high endo missile defense intercepter launch complex at the White Sands Missile Range, New Mexico; and $1.34 million for the target launch complex at the Kwajalein Missile Range; directs the SDI Office to report on all construction funded to date and to include a five-year construction plan as part of this report.

MX: Contains for projects in support of MX missile deployment—$18.3 million for projects at Warren AFB, Wyoming, and $5 million for projects at Hill AFB, Utah.

Trident: Contains $167.84 million for facilities at the Navy's east coast Trident base.

Philippine Bases: Contains $61.27 million for projects at Clark Air Base and $3.77 million for Subic Bay Naval Base in the Philippines.

NATO Infrastructure: Contains $232 million for the NATO infrastructure program.

Ft. DeRussy: Permits the sale and/or transfer of a portion of Ft. DeRussy, Hawaii, to the city and/or county of Honolulu or the State of Hawaii at its appraised fair market value.

Narcotic Drugs: Restates a general provision contained in the 1985 act prohibiting the use of funds for any nation that the President certifies is not taking adequate steps to cooperate with the U.S. in stemming the flow of narcotic drugs and other controlled substances into the U.S.

SENATE VOTING RECORD

NO. 234

99th Congress
2nd Session

August 14, 1986, 5:04 p.m.
Temp. Cong. Rec. p. S-11682

SOUTH AFRICAN SANCTIONS

BILL NO.: S. 2701 (H.R. 4868)

AMENDMENT NO.: 2736

TITLE: "Comprehensive Anti-Apartheid Act of 1986."

SUBJECT: Lugar motion to table the Kennedy-Weicker-Cranston amendment which closes loopholes with respect to the prohibition on loans and new investments by including within those prohibitions: (1) short-term trade financing, letters of credit, sales on open accounts, and rescheduling of existing loans, and (2) the reinvestment of profits generated by a South African entity back into that entity, and the contribution of money or assets to keep a controlled entity operating in an "economically sound manner;" prohibits importation of agriculture products and food, iron, and steel; prohibits the export to South Africa of crude oil and petroleum products which are subject to U.S. jurisdiction; and amends the definition of "parastatal organization" to include those subsidized by the South African government, rather than only those owned or operated by the government. (See also Vote No. 240, whereby a similar amendment was agreed to.)

VOTE: Proponents of the amendment asserted that additional measures restricting loans and new investments in South Africa are necessary to bring U.S. sanctions into conformity with the Commonwealth's proposal, and to close loopholes allowing 80 percent of the American investment in South Africa to be excluded from the prohibition against new investment. These additional measures do not constitute a trade embargo, since companies could continue to trade with the U.S. using whatever banking arrangements they want other than those in the U.S. Nor are the measures any more anti-free trade than those recommended by the Foreign Relations Committee regarding sanctions against Libya, Poland, and Cuba. The economic system in South Africa is so centrally concentrated that there is no economic or political justification for trying to target sanctions at the public sector. Furthermore, the black majority supports sanctions, even though the immediate impact will be greater hardship. Claims regarding the devastation of U.S. businesses in South Africa as a result of this amendment are not backed up by testimony before the Foreign Relations Committee.

(OVER)

S. 2701 (H.R. 4868): Vote Nos. 219, 231-252, 311.

RESULT: MOTION TO TABLE AGREED TO

YEAS (51)

Democrats (5 or 11%)	Republicans (46 or 88%)	
Boren	Abdnor	Kassebaum
Ford	Andrews	Kasten
Heflin	Armstrong	Laxalt
Stennis	Boschwitz	Lugar
Zorinsky	Brovhill	Mathias
	Chafee	Mattingly
	Cochran	McClure
	Cohen	McConnell
	Danforth	Murkowski
	Denton	Nickles
	Dole	Pressler
	Domenici	Quayle
	Durenberger	Roth
	Evans	Rudman
	Garn	Simpson
	Gorton	Stafford
	Gramm	Stevens
	Grassley	Symms
	Hatch	Thurmond
	Hawkins	Trible
	Hecht	Wallop
	Helms	Warner
	Humphrey	Wilson

NAYS (48)

Democrats (42 or 89%)		Republicans (6 or 12%)
Baucus	Johnston	D'Amato
Bentsen	Kennedy	Hatfield
Biden	Kerry	Heinz
Bingaman	Lautenberg	Packwood
Bradley	Leahy	Specter
Bumpers	Levin	Weicker
Burdick	Long	
Byrd	Matsunaga	
Chiles	Melcher	
Cranston	Metzenbaum	
DeConcini	Mitchell	
Dixon	Moynihan	
Dodd	Nunn	
Eagleton	Pell	
Exon	Proxmire	
Glenn	Pryor	
Gore	Riegle	
Harkin	Rockefeller	
Hart	Sarbanes	
Hollings	Sasser	
Inouye	Simon	

NOT VOTING (1)

Democrats (0)	Republicans (1)
	Goldwater-2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—89%
Republicans—88%

Measure of Party Support on Issue as Voted on

For (51)
Democrats—5 or 10%
Republicans—46 or 90%

Against (48)
Democrats—42 or 87.5%
Republicans—6 or 12.5%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 236

99th Congress
2nd Session

August 14, 1986, 8:29 p.m.
Temp. Cong. Rec. p. S-11703

SOUTH AFRICAN SANCTIONS

BILL NO.: S. 2701 (H.R. 4868)

AMENDMENT NO.: 2739

TITLE: "Comprehensive Anti-Apartheid Act of 1986."

SUBJECT: **Lugar motion to table the Proxmire-Cranston-Kennedy modified amendment to require an affirmative vote by both Houses of Congress within 30 days of a Presidential decision to terminate, modify, or suspend the sanctions against South Africa.**

NOTE: Proponents of the amendment asserted that the Committee bill denies Congress a significant role in determining whether sanctions should be terminated. This amendment would require Congress to approve the President's decision to terminate, modify, or suspend sanctions in a timely manner, and is consistent with procedures adopted in conference last year. Such Congressional authority is important in light of the fact that the President does not favor strong sanctions. Congressional approval would guard against the President using his authority to terminate, suspend, or modify sanctions in an effort to undo the purpose of the bill. Without Congressional controls, Congress would have to pass a resolution disapproving the President's decision, and then override a veto of that resolution with a two-thirds vote.

Opponents of the amendment maintained that the President, as the chief architect of U.S. foreign policy, ought to be the chief arbiter and decision-maker regarding sanctions against South Africa. This amendment would pass the balance of power from the President, where the drafters of the legislation intended it to be, to Congress. If the President has the authority to terminate sanctions, the U.S. will be able to lift sanctions more promptly when the government of South Africa moves to end apartheid. Otherwise, a delay would ensue while a joint resolution passed Congress, which would require a majority in both chambers. Congress has the authority to veto the President's actions if at least two-thirds feel that he has erred in lifting sanctions.

S. 2701 (H.R. 4868): Vote Nos. 219, 231-252, 311.

RESULT: **MOTION TO TABLE AGREED TO**

YEAS (51)			NAYS (46)			NOT VOTING (3)	
Democrats (2 or 4%)	Republicans (49 or 96%)		Democrats (44 or 96%)		Republicans (2 or 4%)	Democrats (1)	Republicans (2)
Hollings	Abdnor	Humphrey	Baucus	Inouye	Kasten	Stennis—2	Goldwater—2
Long	Andrews	Kassebaum	Bentsen	Johnston	Specter		Mathias—2
	Armstrong	Laxalt	Biden	Kennedy			
	Boschwitz	Lugar	Bingaman	Kerry			
	Broyhill	Mattingly	Boren	Lautenberg			
	Chafee	McClure	Bradley	Leahy			
	Cochran	McConnell	Bumpers	Levin			
	Cohen	Murkowski	Burdick	Matsunaga			
	D'Amato	Nickles	Byrd	Melcher			
	Danforth	Packwood	Chiles	Metzenbaum			
	Denton	Pressler	Cranston	Mitchell			
	Dole	Quayle	DeConcini	Moynihan			
	Domenici	Roth	Dixon	Nunn			
	Durenberger	Rudman	Dodd	Pell			
	Evans	Simpson	Eagleton	Proxmire			
	Garn	Stafford	Exon	Pryor			
	Gorton	Stevens	Ford	Riegle			
	Gramm	Symms	Glenn	Rockefeller			
	Grassley	Thurmond	Gore	Sarbanes			
	Hatch	Trible	Harkin	Sasser			
	Hatfield	Wallop	Hart	Simon			
	Hawkins	Warner	Heflin	Zorinsky			
	Hecht	Weicker					
	Heinz	Wilson					
	Helms						

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—96%
Republicans—96%

Measure of Party Support on Issue as Voted on

For (51)
Democrats—2 or 4%
Republicans—49 or 96%

Against (46)
Democrats—44 or 96%
Republicans—2 or 4%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

69-213 O - 87 - 7

SENATE VOTING RECORD

NO. 237

99th Congress
2nd Session

August 14, 1986, 10:30 p.m.
Temp. Cong. Rec. p. S-11714

SOUTH AFRICAN SANCTIONS

BILL NO.: S. 2701 (H.R. 4868) — AMENDMENT NO.: 2741

TITLE: "Comprehensive Anti-Apartheid Act of 1986."

SUBJECT: Lugar motion to table the Sarbanes-Kassebaum amendment which requires the President, within 10 days of enactment, to direct the Secretary of Transportation to suspend air service between the U.S. and South Africa, thereby terminating the 1947 air services agreement between the U.S. and South Africa. (Subsequently, the amendment was agreed to by voice vote. See also Vote No. 243.)

NOTE: Proponents of the amendment claimed that the termination of air service with South Africa is among the most effective sanctions that the U.S. can impose, and one being considered by the Commonwealth countries. This amendment would perfect the provision already in the bill, which requires a one-year notice before terminating air service, and allow the U.S. to terminate air travel in ten days on the basis of a violation by South Africa of the 1947 air agreement between the two countries. The government of South Africa on occasion has restricted the Reverend Boesak, Bishop Tutu, and other critics of apartheid from leaving the country, thereby breaching the requirement in the agreement that both parties "foster and encourage the widest possible distribution of the benefits of air travel." The State Department's interpretation of the 1947 agreement requiring a one-year notice is self-serving, since the Department does not support sanctions. Furthermore, their interpretation ignores the South African violation of the agreement. U.S. termination of air service will not lead to arbitration; the U.S. has terminated air agreements with other countries, such as the Soviet Union, in more ambiguous situations without going to arbitration.

Opponents of the amendment claimed that if the United States unilaterally terminates air service without a one-year notice, South Africa will take it to arbitration, and the U.S. could be forced to pay damages if ruled against. The termination of air service with the Soviet Union did not lead to arbitration because there was no arbitration clause in the Soviet agreement.

S. 2701 (H.R. 4868): Vote Nos. 219, 231-252, 311.

RESULT: MOTION TO TABLE FAILED

YEAS (42)

Democrats (0 or 0%)	Republicans (42 or 81%)	
	Abdnor	Humphrey
	Andrews	Kasten
	Armstrong	Laxalt
	Boschwitz	Lugar
	Broyhill	McClure
	Cochran	McConnell
	Danforth	Murkowski
	Denton	Nickles
	Dole	Packwood
	Domenici	Pressler
	Durenberger	Quayle
	Evans	Rudman
	Garn	Simpson
	Gorton	Stafford
	Gramm	Stevens
	Grassley	Symms
	Hatch	Thurmond
	Hatfield	Trible
	Hawkins	Wallop
	Hecht	Warner
	Helms	Wilson

NAYS (56)

Democrats (46 or 100%)		Republicans (10 or 19%)
Baucus	Inouye	Chafee
Bentsen	Johnston	Cohen
Biden	Kennedy	D'Amato
Bingaman	Kerry	Heinz
Boren	Lautenberg	Kassebaum
Bradley	Leahy	Mathias
Bumpers	Levin	Mattingly
Burdick	Long	Roth
Byrd	Matsunaga	Specter
Chiles	Melcher	Weicker
Cranston	Metzenbaum	
DeConcini	Mitchell	
Dixon	Moynihan	
Dodd	Nunn	
Eagleton	Pell	
Exon	Proxmire	
Ford	Pryor	
Glenn	Riegle	
Gore	Rockefeller	
Harkin	Sarbanes	
Hart	Sasser	
Heflin	Simon	
Hollings	Zorinsky	

NOT VOTING (2)

Democrats (1)	Republicans (1)
Stennis[4]	Goldwater[2]

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—100%
Republicans—81%

Measure of Party Support on Issue as Voted on

For (42)
Democrats—0 or 0%
Republicans—42 or 100%

Against (56)
Democrats—46 or 82%
Republicans—10 or 18%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 238

99th Congress
2nd Session

August 15, 1986, 11:07 a.m.
Temp. Cong. Rec. p. S-11805

SOUTH AFRICAN SANCTIONS

BILL NO.: S. 2701 (H.R. 4868) AMENDMENT NO.: 2749

TITLE: "Comprehensive Anti-Apartheid Act of 1986."

SUBJECT: Lugar motion to table the Biden amendment which imposes the following sanctions automatically if South Africa has not made significant progress in dismantling apartheid, 12 months after enactment: a prohibition on the importation of iron and steel; a prohibition on the importation of food, agricultural products, and diamonds; a ban on the use of U.S. banks by South African nationals; a prohibition on the importation of strategic minerals from South Africa except those the President certifies are critical for economic and military uses; and a ban on military assistance or cooperation with any country identified as circumventing the international arms embargo on South Africa.

NOTE: Proponents of the amendment claimed that it would give credibility to the threat of future sanctions contained in the bill by establishing a timetable of mandatory sanctions. In light of the President's stated opposition to sanctions, the language in the bill is not adequate to assure that sanctions will be imposed. This amendment, however, would put the South African government on notice that more sanctions will be imposed if it has not taken concrete action to eliminate apartheid.

Opponents of the amendment felt that imposition of mandatory sanctions would take away the flexibility which the bill gives to the President to determine if progress has been made toward elimination of apartheid in South Africa and to select various appropriate sanctions based on that determination.

S. 2701 (H.R. 4868): Vote Nos. 219, 231-252, 311.

RESULT: MOTION TO TABLE AGREED TO

YEAS (55)

Democrats (7 or 15%)	Republicans (48 or 92%)	
Boren	Abdnor	Kasten
Ford	Andrews	Laxalt
Heflin	Armstrong	Lugar
Long	Boschwitz	Mathias
Nunn	Broyhill	Mattingly
Stennis	Chafee	McClure
Zorinsky	Cochran	McConnell
	Danforth	Murkowski
	Denton	Nickles
	Dole	Packwood
	Domenici	Pressler
	Durenberger	Quayle
	Evans	Roth
	Garn	Rudman
	Gorton	Simpson
	Gramm	Stafford
	Grassley	Stevens
	Hatch	Symms
	Hatfield	Thurmond
	Hawkins	Trible
	Hecht	Wallop
	Helms	Warner
	Humphrey	Weicker
	Kassebaum	Wilson

NAYS (44)

Democrats (40 or 85%)		Republicans (4 or 8%)
Baucus	Inouye	Cohen
Bentsen	Johnston	D'Amato
Biden	Kennedy	Heinz
Bingaman	Kerry	Specter
Bradley	Lautenberg	
Bumpers	Leahy	
Burdick	Levin	
Byrd	Matsunaga	
Chiles	Melcher	
Cranston	Metzenbaum	
DeConcini	Mitchell	
Dixon	Moynihan	
Dodd	Pell	
Eagleton	Proxmire	
Exon	Pryor	
Glenn	Riegle	
Gore	Rockefeller	
Harkin	Sarbanes	
Hart	Sasser	
Hollings	Simon	

NOT VOTING (1)

Democrats (0)	Republicans (1)
	Goldwater—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—85%
Republicans—92%

Measure of Party Support on Issue as Voted on

For (55)
Democrats—7 or 13%
Republicans—48 or 87%

Against (44)
Democrats—40 or 91%
Republicans—4 or 9%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

99th Congress
2nd Session

NO. 239

August 15, 1986, 11:52 a.m.
Temp. Cong. Rec. p. S-11808

SOUTH AFRICAN SANCTIONS

BILL NO.: S. 2701 (H.R. 4868)

AMENDMENT NO.: 2750

TITLE: "Comprehensive Anti-Apartheid Act of 1986."

SUBJECT: **Wallop, et al, amendment to apply the sanctions against South Africa to the Soviet Union.**

VOTE: Proponents contended that the United States is exercising moral and political myopia by singling out South Africa. They questioned how the U.S. can demand the release of Nelson Mandela, but not Dr. Sakharov, or how it can prohibit air transportation to South Africa while at the same time lift the ban on Aeroflot landing rights in the U.S.

Opponents observed that sanctions cannot be applied to the Soviet Union in the same manner as South Africa due to their vast differences. Most notably there is no internal movement in the Soviet Union violently opposing the government. Historically, sanctions have resulted in visible change only if a country were small and the major powers acted simultaneously. Past sanctions against the Soviet Union, such as the U.S. grain embargo, have not had an appreciable effect since the Soviet Union simply turned to other trading partners for grain. This is not a good time to impose additional sanctions without the support of U.S. allies and because of the current arms control negotiations. This bill deals strictly with U.S. policy regarding South Africa. U.S. policy regarding the USSR is a separate matter and should be dealt with separately.

S. 2701 (H.R. 4868): Vote Nos. 219, 231-252, 311.

RESULT: AMENDMENT REJECTED

YEAS (41)

Democrats (7 or 15%)	Republicans (34 or 67%)	
Bentsen	Armstrong	Laxalt
Chiles	Broyhill	Mattingly
DeConcini	Cohen	McClure
Heflin	D'Amato	McConnell
Hollings	Denton	Packwood
Moynihan	Dole	Pressler
Sasser	Domenici	Quayle
	Garn	Roth
	Gramm	Rudman
	Grassley	Simpson
	Hatch	Stevens
	Hawkins	Symms
	Hecht	Thurmond
	Heinz	Trible
	Helms	Wallop
	Humphrey	Warner
	Kasten	Wilson

NAYS (57)

Democrats (40 or 85%)		Republicans (17 or 33%)
Baucus	Kennedy	Abdnor
Biden	Kerry	Andrews
Bingaman	Lautenberg	Boschwitz
Boren	Leahy	Chafee
Bradley	Levin	Cochran
Bumpers	Long	Danforth
Burdick	Matsunaga	Durenberger
Byrd	Melcher	Gorton
Cranston	Metzenbaum	Hatfield
Dixon	Mitchell	Kassebaum
Dodd	Nunn	Lugar
Eagleton	Pell	Mathias
Exon	Proxmire	Murkowski
Ford	Pryor	Nickles
Glenn	Riegle	Specter
Gore	Rockefeller	Stafford
Harkin	Sarbanes	Weicker
Hart	Simon	
Inouye	Stennis	
Johnston	Zorinsky	

NOT VOTING (2)

Democrats (0)	Republicans (2)
	Evans—2
	Goldwater—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—85%
Republicans—67%

Measure of Party Support on Issue as Voted on

For (41)
Democrats—7 or 17%
Republicans—34 or 83%

Against (57)
Democrats—40 or 70%
Republicans—17 or 30%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 240

99th Congress
2nd Session

August 15, 1986, 12:43 p.m.
Temp. Cong. Rec. p. S-11815

SOUTH AFRICAN SANCTIONS

BILL NO.: S. 2701 (H.R. 4868) AMENDMENT NO.: 2751

TITLE: "Comprehensive Anti-Apartheid Act of 1986."

SUBJECT: **Lugar motion to table the Kennedy-Weicker-Cranston-Byrd amendment which prohibits the importation of iron, steel, food, and agricultural products; prohibits the export of crude oil and petroleum products, subject to U.S. jurisdiction, to South Africa; and amends the definition of "parastatal organizations" to include those subsidized by the South African government, rather than only those owned or operated by the government.** (Subsequently, the amendment was agreed to by voice vote. See also Vote No. 234 on a similar amendment.)

NOTE: Proponents of the amendment noted that it incorporates the major elements of sanctions recommended by the Commonwealth and European Communities. By encouraging consistency with the policy of major U.S. allies, it is more likely that the sanctions will succeed in catalyzing the changes necessary in South Africa to end apartheid peacefully. This amendment does not include the prohibitions on trade credits and the reinvestment of profits of U.S. corporations operating in South Africa that were part of the earlier amendment which was narrowly defeated (Vote No. 234).

Opponents of the amendment claimed that it serves no purpose to pile on additional sanctions to the bill. The effect of this amendment would be to harm U.S. agricultural and steel industries. Sanctions on agriculture and steel should be held in reserve to be imposed only if the President determines that they are worthwhile and if the government of South Africa has not made significant steps toward ending apartheid.

S. 2701 (H.R. 4868): Vote Nos. 219, 231-252, 311.

RESULT: MOTION TO TABLE FAILED

YEAS (44)

Democrats (3 or 6%)	Republicans (41 or 79%)		
Ford	Abdnor	Kassebaum	
Stennis	Andrews	Laxalt	
Zorinsky	Armstrong	Lugar	
	Boschwitz	McClure	
	Broyhill	McConnell	
	Cochran	Murkowski	
	Cohen	Nickles	
	Danforth	Pressler	
	Denton	Quayle	
	Dole	Roth	
	Domenici	Rudman	
	Durenberger	Simpson	
	Evans	Stafford	
	Garn	Stevens	
	Gorton	Symms	
	Gramm	Thurmond	
	Hatch	Trible	
	Hawkins	Wallop	
	Hecht	Warner	
	Helms	Wilson	
	Humphrey		

NAYS (55)

Democrats (44 or 94%)		Republicans (11 or 21%)
Baucus	Inouye	Chafee
Bentsen	Johnston	D'Amato
Biden	Kennedy	Grassley
Bingaman	Kerry	Hatfield
Boren	Lautenberg	Heinz
Bradley	Leahy	Kasten
Bumpers	Levin	Mathias
Burdick	Long	Mattingly
Byrd	Matsunaga	Packwood
Chiles	Melcher	Specter
Cranston	Metzenbaum	Weicker
DeConcini	Mitchell	
Dixon	Moynihan	
Dodd	Nunn	
Eagleton	Pell	
Exon	Proxmire	
Glenn	Pryor	
Gore	Riegle	
Harkin	Rockefeller	
Hart	Sarbanes	
Heflin	Sasser	
Hollings	Simon	

NOT VOTING (1)

Democrats (0)	Republicans (1)
	Goldwater—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats— 94%
Republicans— 79%

Measure of Party Support on Issue as Voted on

For (44)
Democrats— 3 or 7%
Republicans— 41 or 93%

Against (55)
Democrats— 44 or 80%
Republicans— 11 or 20%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 241

99th Congress
2nd Session

August 15, 1986, 1:27 p.m.
Temp. Cong. Rec. p. S-11818

SOUTH AFRICAN SANCTIONS

BILL NO.: S. 2701 (H.R. 4868) AMENDMENT NO.: 2753

TITLE: "Comprehensive Anti-Apartheid Act of 1986."

SUBJECT: **Lugar motion to table the D'Amato-Moynihan, et al. amendment which permits States and their political subdivisions to enforce State and local anti-apartheid laws with respect to contracts funded in whole or in part by Federal funds.** (See also Vote No. 287.)

NOTE: Proponents of the amendment maintained that State and local governments should have the right to act in the spirit of the bill and enforce their own anti-apartheid legislation without losing Federal aid. The amendment would allow local jurisdictions to award contracts partially funded by the Federal government to other than the lowest bidder if the low-bid award would violate the local anti-apartheid law and if the State or locality paid any increased cost. This would allow local governments, which helped precipitate this national action, to participate in the anti-apartheid movement.

Opponents of the amendment argued that the Federal government must be allowed to speak with one voice for the country in its external affairs. Under our form of government, individual States and cities may not establish their own foreign policies. This amendment threatens the general support which the bill has in the Senate and destroys any hope of reconciliation with the Administration. It would invite court action to determine individual cases and the issue of preemption by localities of the national law which this bill would become.

S. 2701 (H.R. 4868): Vote Nos. 219, 231-252, 311.

RESULT: MOTION TO TABLE AGREED TO

YEAS (64)			NAYS (35)			NOT VOTING (1)	
Democrats (15 or 32%)	Republicans (49 or 94%)		Democrats (32 or 68%)		Republicans (3 or 6%)	Democrats (0)	Republicans (1)
Baucus	Abdnor	Kasten	Bentsen	Kennedy	Chafee		
Bingaman	Andrews	Laxalt	Biden	Kerry	D'Amato		Goldwater—2
Boren	Armstrong	Lugar	Bradley	Lautenberg	Specter		
Chiles	Boschwitz	Mathias	Bumpers	Leahy			
Exon	Broyhill	Mattingly	Burdick	Levin			
Ford	Cochran	McClure	Byrd	Melcher			
Gore	Cohen	McConnell	Cranston	Metzenbaum			
Heflin	Danforth	Murkowski	DeConcini	Mitchell			
Johnston	Denton	Nickles	Dixon	Moynihan			
Long	Dole	Packwood	Dodd	Pell			
Matsunaga	Domenici	Pressler	Eagleton	Proxmire			
Nunn	Durenberger	Quayle	Glenn	Pryor			
Rockefeller	Evans	Roth	Harkin	Riegle			
Sasser	Garn	Rudman	Hart	Sarbanes			
Zorinsky	Gorton	Simpson	Hollings	Simon			
	Gramm	Stafford	Inouye	Stennis			
	Grassley	Stevens					
	Hatch	Symms					
	Hatfield	Thurmond					
	Hawkins	Trible					
	Hecht	Wallop					
	Heinz	Warner					
	Helms	Weicker					
	Humphrey	Wilson					
	Kassebaum						

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—68%
Republicans—94%

Measure of Party Support on Issue as Voted on

For (64)
Democrats—15 or 23%
Republicans—49 of 77%

Against (35)
Democrats—32 or 91%
Republicans—3 or 9%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 242

99th Congress
2nd Session

August 15, 1986, 2:39 p.m.
Temp. Cong. Rec. p. S-11823

SOUTH AFRICAN SANCTIONS

BILL NO.: S. 2701 (H.R. 4868) **AMENDMENT NO.:** 2755

TITLE: "Comprehensive Anti-Apartheid Act of 1986."

SUBJECT: **Byrd-Simon amendment which states that a main purpose of this Act is to encourage the establishment of political and social stability in South Africa with a nondiscriminatory democratic form of government in order to prevent the anger of South African victims of discrimination and government abuse from becoming a fertile bed for the spread of Communism and so that South Africa will be able to resist Soviet-Marxist expansionism; forbids the importation from South Africa of uranium ore/oxide, coal, textiles, or fluorspar; and establishes two Assistant Secretaries of State for Africa (one each for west/central Africa and south/east Africa, rather than just one for the continent).**

NOTE: Proponents noted that their amendment states America's goal up front—that South Africa be free and self-determined, not dominated by Soviet-Marxism. One reason that the Administration's policy of "constructive engagement" has been such a dismal failure is that the continent of Africa has suffered from a lack of professional attention at the State Department, with one Assistant Secretary for all of Africa. The change in personnel which would be provided by this amendment might cause a reevaluation of policy. The addition of fluorspar to the materials banned under the bill would assist domestic production without increasing appreciably the cost American consumers pay for products using this material.

Opponents acknowledged that the statement of policy of the amendment was good, but argued that there should be some delay and consideration before the Senate reorganizes the State Department because of dissatisfaction with the Administration's policy. Adding an additional Assistant Secretary is not going to solve the problem. The flourspar issue will neither make nor break the bill, but it threatens to turn the bill, which has the moral purpose of fighting apartheid, into a protectionist trade measure.

S. 2701 (H.R. 4868): Vote Nos. 219, 231-252, 311.

RESULT: **AMENDMENT REJECTED**

YEAS (45)			NAYS (54)			NOT VOTING (1)	
Democrats (44 or 94%)		Republicans (1 or 2%)	Democrats (3 or 6%)	Republicans (51 or 98%)		Democrats (0)	Republicans (1)
Baucus	Inouye	D'Amato	Biden	Abdnor	Kasten		Goldwater
Bentsen	Johnston		Pell	Andrews	Laxalt		
Bingaman	Kennedy		Zorinsky	Armstrong	Lugar		
Boren	Kerry			Boschwitz	Mathias		
Bradley	Lautenberg			Broyhill	Mattingly		
Bumpers	Leahy			Chafee	McClure		
Burdick	Levin			Cochran	McConnell		
Byrd	Long			Cohen	Murkowski		
Chiles	Matsunaga			Darforth	Nickles		
Cranston	Melcher			Denton	Packwood		
DeConcini	Metzenbaum			Dole	Pressler		
Dixon	Mitchell			Domenici	Quayle		
Dodd	Moynihan			Durenberger	Roth		
Eagleton	Nunn			Evans	Rudman		
Exon	Proxmire			Garn	Simpson		
Ford	Pryor			Gorton	Specter		
Glenn	Riegle			Gramm	Stafford		
Gore	Rockefeller			Grassley	Stevens		
Harkin	Sarbanes			Hatch	Symms		
Hart	Sasser			Hatfield	Thurmond		
Heflin	Simon			Hawkins	Trible		
Hollings	Stennis			Hecht	Wallop		
				Heinz	Warner		
				Helms	Weicker		
				Humphrey	Wilson		
				Kassebaum			

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—94%
Republicans—98%

Measure of Party Support on Issue as Voted on

For (45)
Democrats—44 or 98%
Republicans—1 or 2%

Against (54)
Democrats—3 or 6%
Republicans—51 or 94%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 246

99th Congress
2nd Session

August 15, 1986, 6:01 p.m.
Temp. Cong. Rec. p. S-11846

SOUTH AFRICAN SANCTIONS

BILL NO.: S. 2701 (H.R. 4868) AMENDMENT NO.: 2760

TITLE: "Comprehensive Anti-Apartheid Act of 1986."

SUBJECT: **Nickles, et al. amendment which permits the Secretary of Agriculture to allow South Africa to participate in U.S. agricultural export credit and promotion programs at similar levels, and under similar terms and conditions, as other countries that have traditionally purchased U.S. agricultural products (thereby reversing the existing Presidential order against loans).** (See also Vote No. 247.)

VOTE: Proponents pointed out that in 1984, the United States supplied fifty percent of South Africa's wheat purchases and ninety percent of its corn purchases. Given the current depressed state of the farm economy, the U.S. cannot afford to lose a good cash-paying customer. The bill would prevent the Secretary of Agriculture from making full use of existing export tools in South Africa even though the export program is presently being used by other countries having far more human rights abuses. The losses suffered by farmers following the Soviet grain embargo have shown that food should not be used as a foreign policy tool.

Opponents noted that the amendment is an attempt to reverse an Executive Order prohibiting government loans and goes against the general thrust of the bill by encouraging, rather than discouraging, trade with South Africa.

S. 2701 (H.R. 4868): Vote Nos. 219, 231-252, 311.

RESULT: AMENDMENT AGREED TO

YEAS (55)			NAYS (44)			NOT VOTING (1)	
Democrats (11 or 23%)	Republicans (44 or 85%)		Democrats (36 or 77%)		Republicans (8 or 15%)	Democrats (0)	Republicans (1)
Baucus	Abdnor	Kassebaum	Bentsen	Johnston	Chafee		Goldwater—2
Boren	Andrews	Kasten	Biden	Kennedy	Cohen		
Burdick	Armstrong	Laxalt	Bingaman	Kerry	D'Amato		
Exon	Boschwitz	Lugar	Bradley	Lautenberg	Heinz		
Ford	Broyhill	Mattingly	Bumpers	Leahy	Mathias		
Hetlin	Cochran	McClure	Byrd	Levin	Packwood		
Long	Danforth	McConnell	Chiles	Matsunaga	Specter		
Melcher	Denton	Murkowski	Cranston	Metzenbaum	Weicker		
Sasser	Dole	Nickles	DeConcini	Mitchell			
Stennis	Domenici	Pressler	Dixon	Moynihan			
Zorinsky	Durenberger	Quayle	Dodd	Nunn			
	Evans	Roth	Eagleton	Pell			
	Garn	Rudman	Glenn	Proxmire			
	Gorton	Simpson	Gore	Pryor			
	Gramm	Stafford	Harkin	Riegle			
	Grassley	Stevens	Hart	Rockefeller			
	Hatch	Symms	Hollings	Sarbanes			
	Hatfield	Thurmond	Inouye	Simon			
	Hawkins	Trible					
	Hecht	Wallop					
	Helms	Warner					
	Humphrey	Wilson					

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion	Measure of Party Support on Issue as Voted on	
	For (55)	*Against* (44)
Democrats—77%	Democrats—11 or 20%	Democrats—36 or 82%
Republicans—85%	Republicans—44 or 80%	Republicans—8 or 18%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 247

99th Congress
2nd Session

August 15, 1986, 25 p.m.
Temp. Cong. Rec. p. S-11847

SOUTH AFRICAN SANCTIONS

BILL NO.: S. 2701 (H.R. 4868) AMENDMENT NO.: 2760

TITLE: "Comprehensive Anti-Apartheid Act of 1986."

SUBJECT: **Nickles motion to table the Lugar motion to reconsider Vote No. 246 by which the Senate adopted the Nickles, et al. amendment which permits the Secretary of Agriculture to allow South Africa to participate in U.S. agricultural export credit and promotion programs at similar levels, and under similar conditions, as other countries that have traditionally purchased U.S. agricultural products (thereby reversing the existing Presidential order against loans).** (See also Vote No. 246.)

NOTE: Proponents of the amendment pointed out that in 1984, the United States supplied fifty percent of South Africa's wheat purchases and ninety percent of its corn purchases. Given the current depressed state of the farm economy, the U.S. cannot afford to lose a good cash-paying customer. The bill would prevent the Secretary of Agriculture from making full use of existing export tools in South Africa even though the export program is presently being used by other countries having far more human rights abuses. The losses suffered by farmers following the Soviet grain embargo have shown that food should not be used as a foreign policy tool.

Opponents of the amendment noted that it is an attempt to reverse an Executive Order prohibiting government loans and goes against the general thrust of the bill by encouraging, rather than discouraging, trade with South Africa.

S. 2701 (H.R. 4868): Vote Nos. 219, 231-252, 311.

RESULT: **MOTION TO TABLE MOTION TO RECONSIDER AGREED TO**

YEAS (50)

Democrats (5 or 11%)	Republicans (45 or 87%)	
Boren	Abdnor	Kassebaum
Ford	Andrews	Kasten
Long	Armstrong	Laxalt
Melcher	Boschwitz	Lugar
Stennis	Broyhill	Mattingly
	Cochran	McClure
	Danforth	McConnell
	Denton	Murkowski
	Dole	Nickles
	Domenici	Pressler
	Durenberger	Quayle
	Evans	Roth
	Garn	Rudman
	Gorton	Simpson
	Gramm	Stafford
	Grassley	Stevens
	Hatch	Symms
	Hatfield	Thurmond
	Hawkins	Trible
	Hecht	Wallop
	Heinz	Warner
	Helms	Wilson
	Humphrey	

NAYS (49)

Democrats (42 or 89%)		Republicans (7 or 13%)
Baucus	Inouye	Chafee
Bentsen	Johnston	Cohen
Biden	Kennedy	D'Amato
Bingaman	Kerry	Mathias
Bradley	Lautenberg	Packwood
Bumpers	Leahy	Specter
Burdick	Levin	Weicker
Byrd	Matsunaga	
Chiles	Metzenbaum	
Cranston	Mitchell	
DeConcini	Moynihan	
Dixon	Nunn	
Dodd	Pell	
Eagleton	Proxmire	
Exon	Pryor	
Glenn	Riegle	
Gore	Rockefeller	
Harkin	Sarbanes	
Hart	Sasser	
Heflin	Simon	
Hollings	Zorinsky	

NOT VOTING (1)

Democrats (0)	Republicans (1)
	Goldwater—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—89%
Republicans—87%

Measure of Party Support on Issue as Voted on

For (50)
Democrats—5 or 10%
Republicans—45 or 90%

Against (49)
Democrats—42 or 86%
Republicans—7 or 14%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 251

99th Congress
2nd Session

August 15, 1986, 7:43 p.m.
Temp. Cong. Rec. p. S-11852

SOUTH AFRICAN SANCTIONS

BILL NO.: S. 2701 (H.R. 4868)

AMENDMENT NO.: 2766

TITLE: "Comprehensive Anti-Apartheid Act of 1986."

SUBJECT: **Dodd motion to table the Dole (for McConnell) amendment to strike uranium ore and uranium oxide from the list of banned South African imports.**

NOTE: Proponents of the amendment urged the Senate to exercise caution and refrain from overloading the bill with sanctions which could cost the President's approval and cause confusion as to U.S. policy and intentions in South Africa. A ban on uranium imports could cost thousands of jobs at the Department of Energy's uranium enrichment plants in Kentucky and Ohio which many overseas customers use to process ore purchased from the United States. The idea of sanctions, proponents emphasized, is to punish the minority South African government—not American workers.

Opponents of the amendment pointed out that only a small percentage of uranium ore used in DOE's plants comes from South Africa. Large reserves of ore exist right here in the United States, as well as in Canada and Australia, which could be used if necessary.

S. 2701 (H.R. 4868): Vote Nos. 219, 231-252, 311.

RESULT: MOTION TO TABLE AGREED TO

YEAS (56)

Democrats (39 or 85%)		Republicans (17 or 34%)
Baucus	Inouye	Andrews
Bentsen	Johnston	Chafee
Biden	Kennedy	Cohen
Bingaman	Kerry	D'Amato
Boren	Lautenberg	Domenici
Bradley	Leahy	Durenberger
Bumpers	Levin	Evans
Burdick	Long	Hatfield
Chiles	Matsunaga	Kassebaum
Cranston	Melcher	Kasten
DeConcini	Metzenbaum	Mathias
Dixon	Mitchell	Simpson
Dodd	Moynihan	Specter
Eagleton	Nunn	Stafford
Glenn	Proxmire	Stevens
Gore	Riegle	Wallop
Harkin	Rockefeller	Weicker
Hart	Sarbanes	
Heflin	Simon	
Hollings		

NAYS (40)

Democrats (7 or 15%)	Republicans (33 or 66%)	
Byrd	Abdnor	Humphrey
Exon	Armstrong	Laxalt
Ford	Boschwitz	Lugar
Pell	Broyhill	Mattingly
Pryor	Cochran	McClure
Sasser	Danforth	McConnell
Zorinsky	Denton	Nickles
	Dole	Pressler
	Garn	Quayle
	Gorton	Roth
	Gramm	Rudman
	Grassley	Symms
	Hatch	Thurmond
	Hawkins	Trible
	Hecht	Warner
	Heinz	Wilson
	Helms	

NOT VOTING (4)

Democrats (1)	Republicans (3)
Stennis—2	Goldwater—2
	Murkowski—2
	Packwood—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—85%
Republicans—66%

Measure of Party Support on Issue as Voted on

For (56)
Democrats—39 or 70%
Republicans—17 or 30%

Against (40)
Democrats—7 or 17.5%
Republicans—33 or 82.5%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 255

99th Congress
2nd Session

August 16, 1986, 2:01 a.m.
Session of August 15, 1986
Temp. Cong. Rec. p. S-11901

PUBLIC DEBT LIMIT EXTENSION

BILL NO.: H.R. 5395

SUBJECT: Reconsideration of Vote No. 254 by which the Senate failed to pass the bill which increases the statutory limit on the public debt by $32.3 billion, from $2.0787 trillion to $2.111 trillion, in order to enable the Federal government to meet its obligations through September 1986, and makes the provisions of Gramm-Rudman-Hollings II—added as a floor amendment during Senate consideration of H.J. Res. 668, the debt ceiling bill which is in conference—applicable to FY 1987 only. Gramm-Rudman-Hollings II, in addressing the Supreme Court's decision which ruled the Comptroller General's role in Gramm-Rudman-Hollings I unconstitutional, would give OMB, rather than GAO, the authority to calculate across-the-board spending cuts.

NOTE: In final action, the House disagreed to the Senate's Gramm-Rudman-Hollings amendment and the Senate receded. Thus, as enacted, H.R. 5395, which became Public Law 99-384, approved August 21, 1986, contained only the debt ceiling increase.

H.R. 5395: Vote Nos. 253-255.

RESULT: BILL PASSED

YEAS (36)

Democrats (10 or 28%)	Republicans (26 or 74%)
Biden	Abdnor
Boren	Boschwitz
Bradley	Broyhill
Dixon	Chafee
Dodd	D'Amato
Gore	Dole
Hollings	Domenici
Levin	Gorton
Long	Hatch
Simon	Hecht
	Heinz
	Helms
	Kassebaum
	Lugar
	McClure
	McConnell
	Packwood
	Roth
	Rudman
	Simpson
	Specter
	Stevens
	Symms
	Thurmond
	Trible
	Wilson

NAYS (35)

Democrats (26 or 72%)	Republicans (9 or 26%)
Baucus	Andrews
Burdick	Armstrong
Byrd	Grassley
Cranston	Hawkins
Exon	Kasten
Ford	Mattingly
Glenn	Nickles
Harkin	Pressler
Inouye	Warner
Johnston	
Kerry	
Lautenberg	
Leahy	
Matsunaga	
Melcher	
Metzenbaum	
Mitchell	
Moynihan	
Nunn	
Pell	
Proxmire	
Riegle	
Rockefeller	
Sarbanes	
Sasser	
Zorinsky	

NOT VOTING (29)

Democrats (11)	Republicans (18)
Bentsen—2	Cochran—2
Bingaman—2	Cohen—2
Bumpers—2	Danforth—2
Chiles—2	Denton—2
DeConcini—2	Durenberger—2
Eagleton—2	Evans—2
Hart—2	Garn—2
Heflin—2	Goldwater—2
Kennedy—2	Gramm—2
Pryor—2	Hatfield—2
Stennis—2	Humphrey—2
	Laxalt—2
	Mathias—2
	Murkowski—2
	Quayle—2
	Stafford—2
	Wallop—2
	Weicker—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—72%
Republicans—74%

Measure of Party Support on Issue as Voted on

For (36)
Democrats—10 or 28%
Republicans—26 or 72%

Against (35)
Democrats—26 or 74%
Republicans—9 or 26%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 258

99th Congress
2nd Session

September 9, 1986, 5:08 p.m.
Temp. Cong. Rec. p. S-12178

INTERIOR APPROPRIATIONS, FY 1987

BILL NO.: H.R. 5234

AMENDMENT NO.: 2777

SUBJECT: McClure motion to table the Proxmire-Humphrey amendment to reduce by $90 million the funds for Forest Service road and trail construction (from $260.6 million to $170.6 million). (See also Vote No. 264.)

NOTE: Proponents of the amendment contended that the Forest Service has overextended its roadbuilding program. In the last five fiscal years, it has built 2,500 miles of road more than its own projections indicated were necessary to support its timber harvesting program. Excessive road construction causes erosion, degrades water quality, and destroys wildlife habitats. There are other, less expensive alternatives, such as purchaser credit roads, but the Forest Service has cut back its support of that program. The cost of building Forest Service roads far exceeds income from the harvested timber.

Opponents of the amendment declared that there is a pattern of consistency to the Forest Service roadbuilding program. From 1982-86, slightly less than $200 million per year has been spent on timber road construction. Not all roads constructed are timber roads. The road to Mount St. Helens, traveled by thousands of visitors, leads to miles of forest lands completely leveled by recent eruptions. Purchaser credit roads are built to the same precise standards, cost the same per mile of equivalent road, and are no less expensive to the Federal government than Forest Service roads. The Forest Service roadbuilding program is needed in order to maintain a stable housing industry at reasonable lumber costs, and stable economic conditions in areas of the U.S. where timber harvest is vitally important. Further cuts in the bill are unnecessary since it already has received the second largest cut of all the appropriations bills and meets its crosswalk allocation.

H.R. 5234: Vote No. 258, 261, 262.

RESULT: MOTION TO TABLE FAILED

YEAS (43)

Democrats (11 or 24%)	Republicans (32 or 67%)	
Baucus	Abdnor	Hatch
Burdick	Andrews	Hatfield
Byrd	Boschwitz	Hecht
Ford	Broyhill	Helms
Heflin	Chafee	Laxalt
Johnston	Cochran	Mathias
Long	D'Amato	McClure
Matsunaga	Denton	McConnell
Melcher	Dole	Packwood
Rockefeller	Domenici	Quayle
Stennis	Durenberger	Simpson
	Evans	Stevens
	Goldwater	Thurmond
	Gorton	Wallop
	Gramm	Weicker
	Grassley	Wilson

NAYS (51)

Democrats (35 or 76%)		Republicans (16 or 33%)
Bentsen	Kennedy	Armstrong
Biden	Kerry	Cohen
Bingaman	Lautenberg	Danforth
Boren	Leahy	Hawkins
Bradley	Levin	Heinz
Chiles	Metzenbaum	Humphrey
Cranston	Mitchell	Kasten
DeConcini	Moynihan	Lugar
Dixon	Nunn	Mattingly
Dodd	Pell	Nickles
Eagleton	Proxmire	Pressler
Exon	Pryor	Roth
Glenn	Riegle	Specter
Gore	Sarbanes	Stafford
Harkin	Sasser	Trible
Hart	Simon	Warner
Hollings	Zorinsky	
Inouye		

NOT VOTING (6)

Democrats (1)	Republicans (5)
Bumpers—2	Garn—2
	Kassebaum—2
	Murkowski—2
	Rudman—2
	Symms—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—76%
Republicans—67%

Measure of Party Support on Issue as Voted on

For (43)
Democrats—11 or 26%
Republicans—32 or 74%

Against (51)
Democrats—35 or 69%
Republicans—16 or 31%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 261

99th Congress
2nd Session

September 16, 1986, 2:25 p.m.
Temp. Cong. Rec. p. S-12632

INTERIOR APPROPRIATIONS, FY 1987

BILL NO.: H.R. 5234

SUBJECT: McClure perfecting amendment (to the Proxmire-Humphrey amendment—Vote No. 258) which reduces the Forest Service road construction account by $8 million and Forest Service funding for timber sales activities by $7 million and adds $5 million each for land acquisition by the National Park Service, the U.S. Forest Service, and the Fish and Wildlife Service. (Subsequently, the Proxmire-Humphrey amendment, as amended, was agreed to by voice vote.)

AMENDMENT NO.: 2829

NOTE: Proponents argued that cutting road building funds would hurt States and communities dependent on forest lands for their livelihood and would shift jobs to Canada. Road construction, they contended, is not an environmental issue, since new road construction methods reduce siltation, and efforts are now made to leave a mixed stand of trees to support wildlife. Road construction has been below the appropriated funding level in recent years, and road density on forest lands now stands at 1.15 miles per square mile. Limiting road construction increases the risk of overharvesting lands already accessible, makes forest fires more difficult to fight, and makes long-term resource management more difficult. Roads built for the timber industry provide access to hunting, fishing, and camping areas, which is not taken into consideration when allocating the road system's cost.

Opponents pointed out that additional roads are unnecessary to meet the Forest Service's timber sales goals, particularly with the current soft market for lumber. The Forest Service has built enough roads to circle the globe 14 times, and, since 1981, has built 2,500 miles of road more than originally planned for that period. Road construction consumes almost one-third of the timber sales program's budget. The President's program is 2-1/2 times more economic than the program added by the perfecting amendment; the latter reduces the level of forest sales in the bill by 200 million board feet, but only saves $8 million in road construction. Roads already exist in the most productive areas, so new roads would be built to the least productive areas with the most below-cost sales. The figures available from the Forest Service, some contended, are inconsistent, misleading, and tend to conceal inefficiencies in the timber sales program. In FY 1985, the timber sales program lost money, and in FY 1986, it is expected to lose about $600 million. The cost to the environment is even greater. Building roads is more environmentally damaging than forest fires, and the resulting siltation is harmful to rivers. Once a road is built, the land can no longer be considered for wilderness designation.

H.R. 5234: Vote Nos. 258, 261, 262.

RESULT: AMENDMENT AGREED TO

YEAS (53)

Democrats (14 or 31%)	Republicans (39 or 78%)	
Baucus	Abdnor	Hecht
Boren	Andrews	Helms
Burdick	Armstrong	Kassebaum
Byrd	Boschwitz	Laxalt
Ford	Broyhill	Mathias
Heflin	Chafee	McClure
Inouye	Cochran	McConnell
Johnston	Cohen	Murkowski
Matsunaga	D'Amato	Nickles
Melcher	Denton	Packwood
Mitchell	Dole	Pressler
Moynihan	Domenici	Quayle
Rockefeller	Durenberger	Simpson
Stennis	Evans	Stevens
	Goldwater	Symms
	Gorton	Thurmond
	Gramm	Wallop
	Grassley	Weicker
	Hatch	Wilson
	Hatfield	

NAYS (42)

Democrats (31 or 69%)		Republicans (11 or 22%)
Bentsen	Kennedy	Danforth
Biden	Kerry	Hawkins
Bingaman	Lautenberg	Heinz
Bradley	Leahy	Humphrey
Bumpers	Levin	Kasten
Chiles	Metzenbaum	Lugar
Cranston	Nunn	Mattingly
DeConcini	Pell	Roth
Dixon	Proxmire	Rudman
Dodd	Pryor	Stafford
Exon	Riegle	Trible
Glenn	Sarbanes	
Gore	Sasser	
Harkin	Simon	
Hart	Zorinsky	
Hollings		

NOT VOTING (4)

Democrats (2)	Republicans (2)
Eagleton—2	Garn—2PY
Long—2	Specter—2

LIVE PAIRS (1)

PRESENT AND GIVING	RECEIVING
Warner (PN)	Garn (PY)

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—69%
Republicans—78%

Measure of Party Support on Issue as Voted on

For (53)
Democrats—14 or 26%
Republicans—39 or 74%

Against (42)
Democrats—31 or 74%
Republicans—11 or 26%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 263

99th Congress
2nd Session

September 16, 1986, 9:33 p.m.
Temp. Cong. Rec. p. S-12683

D.C. APPROPRIATIONS, FY 1987

BILL NO.: H.R. 5175

SUBJECT: Committee amendment which retains the current D.C. appropriations prohibition on the use of Federal funds to perform abortions except where the life of the mother would be endangered if the fetus were carried to term or in cases of rape, incest, or ectopic pregnancy and strikes the House language which prohibits the use of any funds, including those collected through local taxes, from being used to pay for abortions except where the life of the mother would be endangered if the fetus were carried to term. (See also Vote Nos. 290 and 291, 99th-1st.)

VOTE: Proponents asserted that the District of Columbia government should have the right to determine how to spend the money it raises, as is the right of other cities and States. While D.C. is not a State, Congress has granted it home rule. Consequently, it should not be restricted from paying for an action that has been ruled constitutional. The amendment does not in any way change existing law, which already represents an anti-abortion position. Since 1977, more than 452 measures have been introduced on the subject of abortion, which exceeds by far those for prenatal care, child abuse, youth unemployment, and teenage pregnancy. The House provision cannot be equated with the Federal government's decision to withhold Federal highway funds if a State does not adhere to the national speed limit, since only Federal funds are involved in that case.

Opponents noted that all funds available to D.C., whether raised locally or received from Congress, are appropriated by the Federal government, and argued that D.C. should not be permitted to fund abortions unless the life of the mother is threatened. This position is consistent with the Hyde language which the Senate has supported in the past, and which the House originally included in this bill. Further, extending the use of appropriated funds to include abortions for rape and incest opens the door for an increased number of abortions. The District already has the most permissive policy in the nation for abortions. While Congress has granted D.C. home rule, the District does not have all the rights of a State. If Congress can withhold Federal highway funds to the States and D.C. for not adhering to the national speed limit, then it also can intervene on the use of the funds it appropriates to D.C.

H.R. 5175: Vote No. 263.

RESULT: AMENDMENT AGREED TO

YEAS (48)			NAYS (42)			NOT VOTING (10)	
Democrats (32 or 78%)		Republicans (16 or 33%)	Democrats (9 or 22%)	Republicans (33 or 67%)		Democrats (6)	Republicans (4)
Baucus	Hollings	Chafee	Boren	Abdnor	Helms	Bentsen[2]	Garn[2]
Biden	Kerry	Cochran	DeConcini	Andrews	Humphrey	Eagleton[2]	Goldwater[2]
Bingaman	Lautenberg	Cohen	Exon	Armstrong	Kasten	Inouye[2]	Gorton[2]
Bradley	Leahy	Evans	Ford	Boschwitz	Laxalt	Kennedy[2]	Stafford[2]
Bumpers	Levin	Heinz	Johnston	Broyhill	Lugar	Pryor[2]	
Burdick	Matsunaga	Kassebaum	Long	D'Amato	Mattingly	Stennis[2]	
Byrd	Metzenbaum	Mathias	Melcher	Danforth	McClure		
Chiles	Mitchell	Packwood	Proxmire	Denton	McConnell		
Cranston	Moynihan	Roth	Zorinsky	Dole	Murkowski		
Dixon	Nunn	Rudman		Domenici	Nickles	EXPLANATION OF ABSENCE:	
Dodd	Pell	Simpson		Durenberger	Pressler	1—Official Business	
Glenn	Riegle	Specter		Gramm	Quayle	2—Necessarily Absent	
Gore	Rockefeller	Stevens		Grassley	Symms	3—Illness	
Harkin	Sarbanes	Warner		Hatch	Thurmond	4—Other	
Hart	Sasser	Weicker		Hatfield	Trible		
Heflin	Simon	Wilson		Hawkins	Wallop		
				Hecht			

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—78%
Republicans—67%

Measure of Party Support on Issue as Voted on

For (48)
Democrats—32 or 67%
Republicans—16 or 33%

Against (42)
Democrats—9 or 21%
Republicans—33 or 79%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 266

99th Congress
2nd Session

September 17, 1986, 9:31 p.m.
Temp. Cong. Rec. p. S-12769

NOMINATION OF WILLIAM H. REHNQUIST TO BE U.S. CHIEF JUSTICE

POSITION: Chief Justice of the U.S. Supreme Court

SUBJECT: Confirmation of the nomination of William H. Rehnquist, of Virginia, to be Chief Justice of the U.S. Supreme Court.

VOTE: The Judiciary Committee reported the nomination favorably by a vote of 13 to 5. Proponents noted the nominee's reputation for honesty and judicial ability during his 15 years on the Supreme Court. In the last four terms, he authored 230 majority opinions, more than any other justice. The principles of many of his early lone dissents are now gaining acceptance with other justices. In addition, ABA gave him its highest rating, and favorable testimony from colleagues and extensive questioning by the Judiciary Committee revealed nothing, they maintained, to damage his reputation. Allegations that his views on civil rights are extreme, they claimed, are distorted because he voted with the mainstream 70 percent of the time in the top 20 civil rights cases in 1986. Contentions by liberal opponents of this nomination regarding the Republican ballot security program lack credibility and probably involve mistaken identity by witnesses. He clearly did not support Plessy v. Ferguson as a law clerk under Justice Jackson. Nor can he be held accountable for a restrictive covenant, on the purchase of a home, that had no legal validity. The attack on his judicial integrity regarding a case in which he allegedly possessed personal active knowledge ignores the fact that he did not violate the law;

Opponents questioned the nominee's denial of his lifelong conservative record on civil rights. As a law clerk for Justice Jackson, he obviously wrote a memo supporting Plessy v. Ferguson and was known to defend its "separate but equal" doctrine among other clerks. As a member of the Republican party in Arizona, he harassed minority voters under the Republican ballot security program, according to impeccable witnesses. As a lawyer, he testified against the passage of a Phoenix City ordinance prohibiting racial discrimination in places of public accommodation, and, as private citizen, wrote a

(OVER)

Vote Nos. 265, 266.

RESULT: NOMINATION CONFIRMED

ADMINISTRATION POSITION: YEA

YEAS (65)			NAYS (33)			NOT VOTING (2)	
Democrats (16 or 34%)	Republicans (49 or 96%)		Democrats (31 or 66%)		Republicans (2 or 4%)	Democrats (0)	Republicans (2)
Bentsen	Abdnor	Kassebaum	Baucus	Kerry	Mathias		Garn—2AY
Boren	Andrews	Kasten	Biden	Lautenberg	Weicker		Goldwater—2
Bumpers	Armstrong	Laxalt	Bingaman	Leahy			
Chiles	Boschwitz	Lugar	Bradley	Levin			
DeConcini	Broyhill	Mattingly	Burdick	Matsunaga			
Dixon	Chafee	McClure	Byrd	Melcher			
Ford	Cochran	McConnell	Cranston	Metzenbaum			
Heflin	Cohen	Murkowski	Dodd	Mitchell			
Hollings	D'Amato	Nickles	Eagleton	Moynihan			
Johnston	Danforth	Packwood	Exon	Pell			
Long	Denton	Pressler	Glenn	Riegle			
Nunn	Dole	Quayle	Gore	Rockefeller			
Proxmire	Domenici	Roth	Harkin	Sarbanes			
Pryor	Durenberger	Rudman	Hart	Sasser			
Stennis	Evans	Simpson	Inouye	Simon			
Zorinsky	Gorton	Specter	Kennedy				
	Gramm	Stafford					
	Grassley	Stevens					
	Hatch	Symms					
	Hatfield	Thurmond					
	Hawkins	Trible					
	Hecht	Wallop					
	Heinz	Warner					
	Helms	Wilson					
	Humphrey						

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion	Measure of Party Support on Issue as Voted on	
	For (65)	*Against* (33)
Democrats—66%	Democrats—16 or 25%	Democrats—31 or 94%
Republicans—96%	Republicans—49 or 75%	Republicans—2 or 6%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

letter to the editor arguing against it. He also challenged a plan to end de facto segregation in public schools in Phoenix, and proposed a constitutional amendment to legalize segregated schools. His refusal to acknowledge this record and simply declare that his opinions on civil rights have now changed, as they have for many Americans, casts doubt on his candor, credibility, and, therefore, his suitability to be Chief Justice. His involvement in the questionable handling of his wife's relative's inheritance, and denial of any knowledge concerning a restrictive covenant on property he owned cast further doubt on his credibility. Moreover, it is not clear that he possesses the ability to cultivate the consensus of opinion important for many Supreme Court cases. He is the least doctrinally disinterested judge, and uses the law to reach the decisions he wants. Despite his claim of "always" having supported Brown v. Board of Education, he never used the case to uphold the rights of a civil rights plaintiff in the 34 relevant cases he has participated in since his appointment to the Supreme Court. He violated the basic rules of judicial ethics, that no one should be the judge in his own cause, when he did not disqualify himself from Laird v. Tatum, in which he sat in judgment of the government surveillance program for which he had been responsible. Finally, some argued, if the President can select a nominee for Chief Justice on the basis of ideology, the Senate can oppose him for the same reason.

SENATE VOTING RECORD

NO. 272

99th Congress
2nd Session

September 19, 1986, 9:08 p.m.
Temp. Cong. Rec. p. S-13018

BUDGET RECONCILIATION, 1986

BILL NO.: S. 2706 (H.R. 5300) AMENDMENT NO.: 2855

TITLE: "Sixth Omnibus Budget Reconciliation Act, 1986."

SUBJECT: **Kassebaum motion to waive section 305(b) of the Budget Act in order to allow consideration of the Kassebaum amendment which provides uniform standards of liability for harm arising from general aviation accidents.**

VOTE: Proponents of the amendment declared that general aviation is a prime candidate for uniform Federal product liability standards. The Federal government regulates the design, production, and maintenance of light aircraft; trains and licenses pilots and mechanics; and operates the air traffic control system. Despite an improved safety record and lower production levels of light aircraft, the industry's product liability insurance fees have skyrocketed 500 percent per company since 1981, averaging $80,000 per plane. The amendment would address these serious concerns by establishing Federal jurisdiction and rules of strict liability for airframe and component manufacturers and allocating damages based on comparative responsibility. It would establish a twenty-year statute of repose for aircraft and replacement parts and permit recovery of attorneys' fees by plaintiffs and defendants. This measure has been the subject of lengthy hearings by the Commerce Committee. It would not affect other areas of product liability law and is a constructive way to assist not just the needs of general aviation but consumers as well.

Opponents of the amendment declared that the proposal would deprive the States of their jurisdiction over courts with aviation liability claims. In addition, the statute of limitations would make it impossible to initiate claims based upon the conduct of airplane manufacturers for accidents occurring more than two years before. It singles out one segment of the economy for preferential treatment when others, such as small business people, are being affected equally by product liability rates. This is a controversial issue which should have the benefit of Judiciary Committee hearings before being considered by this body.

S. 2706 (H.R. 5300): Vote Nos. 268-277, 358.

RESULT: MOTION TO WAIVE BUDGET ACT REJECTED, 3/5THS NOT HAVING VOTED IN THE AFFIRMATIVE

YEAS (43)

Democrats (7 or 16%)	Republicans (36 or 72%)	
Dodd	Abdnor	Lugar
Exon	Armstrong	Mathias
Ford	Broyhill	Mattingly
Harkin	Chafee	McClure
Inouye	Danforth	McConnell
Rockefeller	Denton	Murkowski
Zorinsky	Dole	Nickles
	Evans	Pressler
	Gorton	Quayle
	Hatch	Rudman
	Hawkins	Simpson
	Hecht	Specter
	Heinz	Symms
	Helms	Trible
	Humphrey	Wallop
	Kassebaum	Warner
	Kasten	Weicker
	Laxalt	Wilson

NAYS (52)

Democrats (38 or 84%)		Republicans (14 or 28%)
Baucus	Kennedy	Andrews
Bentsen	Kerry	Boschwitz
Biden	Lautenberg	Cochran
Bingaman	Leahy	Cohen
Bradley	Levin	D'Amato
Bumpers	Long	Domenici
Burdick	Melcher	Durenberger
Byrd	Metzenbaum	Gramm
Chiles	Mitchell	Grassley
Cranston	Moynihan	Hatfield
DeConcini	Nunn	Packwood
Dixon	Pell	Roth
Eagleton	Proxmire	Stafford
Glenn	Pryor	Thurmond
Gore	Riegle	
Hart	Sarbanes	
Heflin	Sasser	
Hollings	Simon	
Johnston	Stennis	

NOT VOTING (4)

Democrats (2)	Republicans (2)
Boren—2	Garn—2
Matsunaga—3	Goldwater—2

VOTING PRESENT (1)

Stevens

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—84%
Republicans—72%

Measure of Party Support on Issue as Voted on

For (43)
Democrats—7 or 16%
Republicans—36 or 84%

Against (52)
Democrats—38 or 73%
Republicans—14 or 27%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 274

99th Congress
2nd Session

September 19, 1986, 10:21 p.m.
Temp. Cong. Rec. p. S-13025

BUDGET RECONCILIATION, 1986

BILL NO.: S. 2706 (H.R. 5300)

AMENDMENT NO.: 2857

TITLE: "Sixth Omnibus Budget Reconciliation Act, 1986."

SUBJECT: Danforth-Eagleton motion to waive section 305(b) of the Budget Act in order to allow the consideration of the Danforth-Eagleton amendment which requires the integration of employee seniority lists in cases of airline mergers or acquisitions, and makes the provision applicable to the TWA-Ozark merger and any mergers or acquisitions which occur after enactment. (See also Vote No. 305.)

NOTE: Proponents of the amendment pointed out that the Department of Transportation, in approving the Ozark/TWA merger, failed to provide labor protection to the airlines' employees, many of whom are facing displacement or dismissal. The amendment would provide fair and reasonable protection not only to these employees but to thousands of others who may be affected by future mergers.

Opponents of the amendment maintained that it makes major merger changes in transportation law which should be considered on its own or as an amendment to an appropriate measure. While some supported its intent, they objected to it because it is not germane to the budget reconciliation bill.

S. 2706 (H.R. 5300): Vote Nos. 268-277, 358.

RESULT: MOTION TO WAIVE BUDGET ACT REJECTED, 3/5THS NOT HAVING VOTED IN THE AFFIRMATIVE.

YEAS (43)

Democrats (30 or 67%)	Republicans (13 or 26%)
Baucus	Andrews
Biden	Boschwitz
Bradley	D'Amato
Bumpers	Danforth
Burdick	Dole
Cranston	Grassley
DeConcini	Heinz
Dixon	Kassebaum
Dodd	Mathias
Eagleton	Packwood
Ford	Pressler
Gore	Specter
Harkin	Stevens
Hart	
Heflin	
Inouye	
Kennedy	
Kerry	
Lautenberg	
Leahy	
Levin	
Melcher	
Mitchell	
Moynihan	
Pell	
Pryor	
Riegle	
Sarbanes	
Sasser	
Simon	

NAYS (52)

Democrats (15 or 33%)	Republicans (37 or 74%)	
Bentsen	Abdnor	Laxalt
Bingaman	Armstrong	Lugar
Byrd	Broyhill	Mattingly
Chiles	Chafee	McClure
Exon	Cochran	McConnell
Glenn	Cohen	Murkowski
Hollings	Denton	Nickles
Johnston	Domenici	Quayle
Long	Durenberger	Roth
Metzenbaum	Evans	Rudman
Nunn	Gorton	Simpson
Proxmire	Gramm	Symms
Rockefeller	Hatch	Thurmond
Stennis	Hatfield	Trible
Zorinsky	Hawkins	Wallop
	Hecht	Warner
	Helms	Weicker
	Humphrey	Wilson
	Kasten	

NOT VOTING (5)

Democrats (2)	Republicans (3)
Boren—2	Garn—2
Matsunaga—2	Goldwater—2
	Stafford—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—67%
Republicans—74%

Measure of Party Support on Issue as Voted on

For (43)
Democrats—30 or 70%
Republicans—13 or 30%

Against (52)
Democrats—15 or 29%
Republicans—37 or 71%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

69-213 O - 87 - 8

SENATE VOTING RECORD

NO. 283

99th Congress
2nd Session

September 23, 1986, 9:36 p.m.
Temp. Cong. Rec. p. S-13362

FEDERAL-AID HIGHWAY AUTHORIZATION, 1987-90

BILL NO.: S. 2405 (H.R. 3129) AMENDMENT NO.: 2885

TITLE: "Federal-Aid Highway Act of 1986."

SUBJECT: **Symms amendment which raises the threshold for the application of the Davis-Bacon Act prevailing wage rates to contracts for Federally-assisted highway projects from $2,000 to $250,000.**

NOTE: Proponents argued that raising the threshold under the Davis-Bacon Act for highway construction is long overdue. It would save taxpayers an estimated $38 million in outlays over the next five years, increase competition for government contracts, end the subsidization of wages at rates above the national average, and make the first adjustment for inflation in the Act's 55-year existence. It also would partially implement one of the Grace Commission's recommendations and is consistent with the Senate's earlier action raising the Davis-Bacon threshold for military contracts. By raising the threshold, 32 percent of all contracts would be exempt from the Davis-Bacon Act. This would benefit small businesses, which usually cannot meet the wage requirements to compete for government contracts. Most labor and management laws have changed since 1931, and a host of other laws now protect the rights of workers.

Opponents claimed that the amendment would effectively repeal wage protection for thousands of workers and only achieve piecemeal reform, since it addresses only one of the more than 70 statutes containing Davis-Bacon protection. It would exempt a significant number of employers from meeting the locally prevailing wage, raise the threshold 18 times higher than necessary to adjust for inflation, and exceed the Administration's recommended increase by 2-1/2 times. Estimates of how much money would be saved are exaggerated because they ignore productivity differences. When Davis-Bacon was suspended completely in 1971, the resulting savings on more than 1,000 contracts was only six-tenths of one percent, rather than the expected 3.3 percent. Nor does Davis-Bacon cause artificially high wages: the average income for construction work is now $17,000 for a union worker, and $13,000 for non-union, which is below the U.S. median income of $23,400. Moreover, nearly half the wage decisions examined in the first four months of this year provide a wage rate below the poverty line. Repealing wage protection in this manner would: shift the competitive advantage to non-union contractors, since labor costs are the only area where significant competition takes place on government contracts; lower the quality of work because evidence shows that contractors who cut corners in wages usually perform substandard work; and cause reductions in training/apprenticeship programs, which would hurt minority groups. The Senate will be taking up legislation adjusting the threshold for the entire Davis-Bacon Act in the next Congress.

S. 2405 (H.R. 3129): Vote Nos. 280-288.

RESULT: **AMENDMENT AGREED TO**

YEAS (49)			NAYS (46)			NOT VOTING (5)	
Democrats (10 or 22%)	Republicans (39 or 78%)		Democrats (35 or 78%)		Republicans (11 or 22%)	Democrats (2)	Republicans (3)
Bentsen	Abdnor	Kasten	Baucus	Kerry	Andrews	Cranston—2	Garn—2
Boren	Armstrong	Laxalt	Biden	Lautenberg	Chafee	Stennis—2	Goldwater—2
Bumpers	Boschwitz	Lugar	Bingaman	Leahy	D'Amato		Specter—2
Chiles	Broyhill	Mattingly	Bradley	Levin	Danforth		
DeConcini	Cochran	McClure	Burdick	Long	Durenberger		
Exon	Cohen	McConnell	Byrd	Matsunaga	Heinz		
Hollings	Denton	Nickles	Dixon	Melcher	Mathias		
Nunn	Dole	Pressler	Dodd	Metzenbaum	Murkowski		
Pryor	Domenici	Quayle	Eagleton	Mitchell	Packwood		
Zorinsky	Evans	Roth	Ford	Moynihan	Stevens		
	Gorton	Rudman	Glenn	Pell	Weicker		
	Gramm	Simpson	Gore	Proxmire			
	Grassley	Stafford	Harkin	Riegle			
	Hatch	Symms	Hart	Rockefeller			
	Hatfield	Thurmond	Heflin	Sarbanes			
	Hawkins	Trible	Inouye	Sasser			
	Hecht	Wallop	Johnston	Simon			
	Helms	Warner	Kennedy				
	Humphrey	Wilson					
	Kassebaum						

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—78%
Republicans—78%

Measure of Party Support on Issue as Voted on

For (49)
Democrats—10 or 20%
Republicans—39 or 80%

Against (46)
Democrats—35 or 76%
Republicans—11 or 24%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 289

99th Congress
2nd Session

September 24, 1986, 4:04 p.m.
Temp. Cong. Rec. p. S-13579

INTELLIGENCE AUTHORIZATION, 1987

BILL NO.: S. 2477 (H.R. 4759)

AMENDMENT NO.: 2897

SUBJECT: **Helms, et al, amendment which requires the Director of the Central Intelligence Agency to report by March 1, 1987, to the Senate and House Intelligence Committees on whether, and to what extent, the defense forces of Panama have violated the human rights of the people of Panama; are involved in drug trafficking, arms trafficking, or money laundering; or were involved in the death of Dr. Hugo Spadafora, the former Vice Minister of Health for Panama.** (Subsequently, the Senate passed the House companion bill by voice vote, and on October 6, 1986, agreed to the conference report also by voice vote.)

NOTE: Proponents asserted that Congress is entitled to know the facts about the current situation in Panama in order to make vital policy decisions concerning U.S.-Panamanian relations. Despite America's efforts to bring stability and development to Panama, its political, economic, and social structure has become increasingly unstable. U.S. government sources are withholding important information about what is happening there, they asserted, in order to quash criticism and opposition to the current Panamanian government. Congress and the American people have a right to know the truth about alleged drug smuggling and gunrunning in Panama. Other serious charges requiring investigation include allegations that General Noriega is violating human rights, was personally responsible for Dr. Spadafora's brutal murder, and provided intelligence information both to the U.S. and Cuba. This amendment does not call for open debate about sensitive intelligence matters which might jeopardize U.S. intelligence sources. It merely calls for the gathering of additional intelligence information about the current situation in Panama. The report may be classified, if necessary.

Opponents contended that the amendment would unnecessarily duplicate existing report requirements and risk jeopardizing intelligence sources and methods in Panama. While several admitted that the amendment raised valid questions, they insisted that the issue should be pursued through the Intelligence Committee rather than on the Senate floor. The Senate should not set a precedent of discussing sensitive intelligence matters or amending the intelligence bill during floor consideration, nor should it write into law report requests deemed critical by individual Senators.

H.R. 4759 became Public Law 9-569, approved October 27, 1986.

S. 2477 (H.R. 4759): Vote No. 289.

RESULT: **AMENDMENT AGREED TO**

YEAS (53)			NAYS (46)			NOT VOTING (1)	
Democrats (13 or 28%)	Republicans (40 or 77%)		Democrats (34 or 72%)		Republicans (12 or 23%)	Democrats (0)	Republicans (1)
Bingaman	Abdnor	Laxalt	Baucus	Johnston	Boschwitz		
Burdick	Andrews	Mattingly	Bentsen	Lautenberg	Chafee		
Cranston	Armstrong	McClure	Biden	Leahy	Cohen		
DeConcini	Broyhill	McConnell	Boren	Levin	Domenici		Garn[2]
Dixon	Cochran	Murkowski	Bradley	Long	Durenberger		
Ford	D'Amato	Nickles	Bumpers	Matsunaga	Evans		
Heflin	Danforth	Packwood	Byrd	Melcher	Goldwater		
Kennedy	Denton	Pressler	Chiles	Metzenbaum	Humphrey		
Kerry	Dole	Quayle	Dodd	Mitchell	Lugar		
Pell	Gorton	Roth	Eagleton	Moynihan	Mathias		
Pryor	Gramm	Rudman	Exon	Nunn	Stafford		
Sasser	Grassley	Simpson	Glenn	Proxmire	Weicker		
Zorinsky	Hatch	Specter	Gore	Riegle			
	Hatfield	Stevens	Harkin	Rockefeller			
	Hawkins	Symms	Hart	Sarbanes			
	Hecht	Thurmond	Hollings	Simon			
	Heinz	Trible	Inouye	Stennis			
	Helms	Wallop					
	Kassebaum	Warner					
	Kasten	Wilson					

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—72%
Republicans—77%

Measure of Party Support on Issue as Voted on

For (53)
Democrats—13 or 25%
Republicans—40 or 75%

Against (46)
Democrats—34 or 74%
Republicans—12 or 26%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 301

99th Congress
2nd Session

September 29, 1986, 5:07 p.m.
Temp. Cong. Rec. p. S-14212

CONTINUING APPROPRIATIONS, 1987

BILL NO.: H.J. Res. 738 AMENDMENT NO.: 3084

SUBJECT: **Byrd, et al. modified amendment which earmarks $200 million of Economic Support Fund appropriations for aid to the Philippines and prohibits using funds allocated for aid to Israel or Egypt for this earmarked funding.** (See also Vote Nos. 309 and 328.)

NOTE: Proponents described as desperate the need for additional economic aid to help President Aquino stabilize rising economic problems in the Philippines. The additional $200 million would come out of function 150, International Affairs, and use up only about one percent of total budget authority for that function. It would not add one cent to the bill but would simply transfer funds. This amount, plus the Administration's request of $233 million for FY 1987, totals $433 million, which is still lower than the amount the Senate has approved for other countries that have larger Communist guerrilla forces than the Philippines. Even the amount that the United States pays the Philippines for Clark and Subic military bases is less than it pays other countries for base rentals. The Senate played an important role in the election when it supported Cory Aquino. The United States now needs to back up its words with actions and reinforce its commitment to the Filipino people's peaceful and courageous fight for democracy.

Opponents contended that prohibiting funds allocated for Israel or Egypt to be used for this earmark would create a narrower base from which to draw those funds and place the burden on the remaining countries. The sub-Saharan countries, in particular, cannot afford to lose any U.S. aid. The United States is already heavily supporting the Philippines. Aid has risen dramatically from $173 million in 1981 to over $500 million in 1986. Some argued that the Philippine Commission on the Constitution recently took two actions which are reasons enough not to give additional aid. First, it decided not to renew the current military bases agreement but require instead negotiation of a new treaty. One-third of the Commission voted to ban the bases on the same day that the House authorized an additional $200 million in aid. Second, the Commission declared the Philippines to be a nuclear-weapons-free country which makes it difficult for the U.S. to justify the presence of nuclear missiles on ships in Subic Bay. The $200 million at issue could be better spent for the new drug enforcement effort here at home. It certainly should not be taken away from other allies who are more dependent than the Philippines on the United States.

H.J. Res. 738: Vote Nos. 301, 303-310, 312-328, 330, 350-354, 356.

RESULT: **AMENDMENT REJECTED**

YEAS (43)

Democrats (39 or 89%)		Republicans (4 or 8%)
Baucus	Johnston	Kassebaum
Biden	Kennedy	Lugar
Boren	Kerry	Mathias
Bradley	Lautenberg	Wilson
Bumpers	Leahy	
Burdick	Levin	
Byrd	Matsunaga	
Chiles	Melcher	
DeConcini	Metzenbaum	
Dodd	Mitchell	
Eagleton	Moynihan	
Exon	Nunn	
Ford	Pell	
Glenn	Proxmire	
Gore	Riegle	
Harkin	Rockefeller	
Hart	Sarbanes	
Heflin	Sasser	
Hollings	Simon	
Inouye		

NAYS (51)

Democrats (5 or 11%)	Republicans (46 or 92%)		
Bingaman	Abdnor	Humphrey	
Dixon	Andrews	Kasten	
Long	Armstrong	Laxalt	
Stennis	Boschwitz	Mattingly	
Zorinsky	Chafee	McClure	
	Cochran	McConnell	
	Cohen	Murkowski	
	D'Amato	Nickles	
	Danforth	Packwood	
	Denton	Pressler	
	Dole	Quayle	
	Domenici	Roth	
	Durenberger	Rudman	
	Evans	Simpson	
	Goldwater	Specter	
	Gorton	Stafford	
	Gramm	Stevens	
	Grassley	Symms	
	Hatch	Thurmond	
	Hatfield	Trible	
	Hecht	Wallop	
	Heinz	Warner	
	Helms	Weicker	

NOT VOTING (6)

Democrats (3)	Republicans (3)
Bentsen—2	Brownell—2
Cranston—2	Garn—2
Pryor—4	Hawkins—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—89%
Republicans—92%

Measure of Party Support on Issue as Voted on

For (43)
Democrats—39 or 91%
Republicans—4 or 9%

Against (51)
Democrats—5 or 10%
Republicans—46 or 90%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 304

99th Congress
2nd Session

October 1, 1986, 2:30 p.m.
Temp. Cong. Rec. p. S-14409

CONTINUING APPROPRIATIONS, 1987

BILL NO.: H.J. Res. 738

AMENDMENT NO.: 3100

SUBJECT: Boren motion to waive section 302(f)(2) of the Budget Act in order to permit the consideration of the Boren, et al, amendment which allows prepayment of REA loans without penalty; provides for restitution payments for cattle sold between March 28, 1986, and June 30, 1986; establishes a soybean loan rate of $5.02 per bushel and includes marketing loans for the 1986 crop or loan deficiency payments; specifies that wheat deficiency payments for the 1986 crop be determined on the basis of the average market price during the first five months of the marketing year; and includes disaster assistance for farmers and ranchers in natural disaster areas, the agricultural loan interest subsidy program, child nutrition programs, sunflower and marketing loan programs, and an indemnity program for cattlemen affected by heptachlor contamination during the spring of 1986.

VOTE: Proponents of the amendment pointed out that the farm crisis is worsening. Production expenses dropped in 1985, but the prices that farmers received for products declined by 10 percent. The U.S. agricultural trade balance dropped 40 percent to $11.42 billion in FY 1985, and the export situation remains bleak. Currently, the Farm Credit System has 10,000 loans in the process of foreclosure. Agricultural banks, which comprised one-fourth of all commercial banks in 1985, accounted for over half of all bank failures. It is time for Congress to deal with a crisis that is threatening the economic health of the United States. This proposal addresses several important issues, including agriculture credit, disaster assistance, REA refinancing, soybean marketing loans, wheat deficiency payments, and child nutrition programs. Most of these issues already have been approved by either the Senate or the House but have been held up for some reason. Farm legislation is needed now to help farmers who lost millions of dollars worth of crops due to flooding and drought in 1986, and ranchers who fell victim to the Federal government's mismanagement of the whole herd buyout program, which plunged cattle prices as much as $10 per hundredweight. The amendment would result in a net savings of $4.68 billion in FY 1987. The monies generated to pay for the various programs would come from a provision

(OVER)

H.J. Res. 738: Vote Nos. 301, 303-310, 312-328, 330, 350-354, 356.

RESULT: MOTION TO WAIVE BUDGET ACT REJECTED, 3/5THS NOT HAVING VOTED IN THE AFFIRMATIVE

YEAS (45)

Democrats (34 or 74%)		Republicans (11 or 21%)
Baucus	Hollings	Abdnor
Bentsen	Inouye	Andrews
Biden	Johnston	Danforth
Boren	Kennedy	Denton
Bumpers	Leahy	Durenberger
Burdick	Levin	Grassley
Byrd	Long	Kasten
Cranston	Matsunaga	Mattingly
Dixon	Melcher	Nickles
Eagleton	Moynihan	Pressler
Exon	Pryor	Specter
Ford	Riegle	
Glenn	Rockefeller	
Gore	Sarbanes	
Harkin	Sasser	
Hart	Simon	
Heflin	Zorinsky	

NAYS (53)

Democrats (12 or 26%)	Republicans (41 or 79%)		
Bingaman	Armstrong	Laxalt	
Bradley	Boschwitz	Lugar	
Chiles	Broyhill	Mathias	
DeConcini	Chafee	McClure	
Dodd	Cochran	McConnell	
Kerry	Cohen	Murkowski	
Lautenberg	D'Amato	Packwood	
Metzenbaum	Dole	Quayle	
Mitchell	Domenici	Roth	
Pell	Evans	Rudman	
Proxmire	Goldwater	Simpson	
Stennis	Gorton	Stafford	
	Gramm	Stevens	
	Hatch	Symms	
	Hatfield	Thurmond	
	Hawkins	Trible	
	Hecht	Wallop	
	Heinz	Warner	
	Helms	Weicker	
	Humphrey	Wilson	
	Kassebaum		

NOT VOTING (2)

Democrats (1)	Republicans (1)
Nunn—2AY	Garn—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—74%
Republicans—79%

Measure of Party Support on Issue as Voted on

For (45)
Democrats—34 or 76%
Republicans—11 or 24%

Against (53)
Democrats—12 or 23%
Republicans—41 or 77%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

allowing rural electric cooperatives to pay off REA loans without prepayment penalties. The amendment merely expands upon the Domenici-Dole-Chiles reconciliation package (Vote No. 268) which allowed for repayment of REA loans. Savings generated in this amendment are in addition to those in the reconciliation bill because the amendment does not set a cap on the total amount of debt that the electric cooperatives can refinance and prepay.

Opponents of the amendment pointed out that it makes substantial changes to an agriculture program already in effect. The REA provision was included in the reconciliation bill and is therefore not needed. Any changes to the REA provision should be made in the conference on that bill. The amendment violates the Budget Act by increasing budget authority by $2.9 billion and is legislation on an appropriations bill.

SENATE VOTING RECORD

NO. 305

99th Congress
2nd Session

October 1, 1986, 3:08 p.m.
Temp. Cong. Rec. p. S-14412

CONTINUING RESOLUTION, 1987

BILL NO.: H.J. Res. 738

AMENDMENT NO.: 3103

SUBJECT: Hatfield question of germaneness, under Rule XVI, of the Danforth-Eagleton amendment which preserves employee seniority rights in future airline mergers, with the exception of the TWA/Ozark merger. The question is: "Is the amendment germane?" (See also Vote No. 274.)

NOTE: Proponents of the amendment explained that it is similar to an earlier amendment which was considered and rejected (Vote No. 274), except that it would provide for arbitration to be conducted pursuant to a contractual arrangement. If arbitration has not begun, a party could refer a disputed issue to an arbitrator designated by the National Mediation Board. The provisions of the amendment would apply to merger applications filed following enactment of this legislation and would apply retroactively only to the TWA-Ozark merger. The amendment would guarantee equitable integration of seniority lists.

Opponents of the amendment maintained that it is legislation on an appropriations bill and is therefore nongermane.

H.J. Res. 738: Vote Nos. 301, 303-310, 312-328, 330, 350-354, 356.

RESULT: AMENDMENT NOT GERMANE

YEAS (49)

Democrats (41 or 89%)		Republicans (8 or 15%)
Baucus	Inouye	Andrews
Biden	Kennedy	Cohen
Bingaman	Kerry	D'Amato
Boren	Lautenberg	Danforth
Bradley	Leahy	Grassley
Bumpers	Levin	Kassebaum
Burdick	Matsunaga	Pressler
Byrd	Melcher	Specter
Chiles	Metzenbaum	
Cranston	Mitchell	
DeConcini	Moynihan	
Dixon	Pell	
Dodd	Proxmire	
Eagleton	Pryor	
Exon	Riegle	
Ford	Rockefeller	
Gore	Sarbanes	
Harkin	Sasser	
Hart	Simon	
Heflin	Zorinsky	
Hollings		

NAYS (49)

Democrats (5 or 11%)	Republicans (44 or 85%)	
Bentsen	Abdnor	Laxalt
Glenn	Armstrong	Lugar
Johnston	Boschwitz	Mathias
Long	Broyhill	Mattingly
Stennis	Chafee	McClure
	Cochran	McConnell
	Denton	Murkowski
	Dole	Nickles
	Domenici	Packwood
	Durenberger	Quayle
	Evans	Roth
	Goldwater	Rudman
	Gorton	Simpson
	Gramm	Stafford
	Hatch	Stevens
	Hatfield	Symms
	Hawkins	Thurmond
	Hecht	Trible
	Heinz	Wallop
	Helms	Warner
	Humphrey	Wecker
	Kasten	Wilson

NOT VOTING (2)

Democrats (1)	Republicans (1)
Nunn—1	Garn—1

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—89%
Republicans—85%

Measure of Party Support on Issue as Voted on

For (49)
Democrats—41 or 84%
Republicans—8 or 16%

Against (49)
Democrats—5 or 10%
Republicans—44 or 90%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 306

99th Congress
2nd Session

October 1, 1986, 3:49 p.m.
Temp. Cong. Rec. p. S-14415

CONTINUING APPROPRIATIONS, 1987

BILL NO.: H.J. Res. 738

AMENDMENT NO.: 3087

SUBJECT: Danforth question of germaneness, under Rule XVI, of the Dixon-Glenn amendment which permits tenant management of public housing. The question is: "Is the amendment germane?"

VOTE: Proponents of the amendment praised tenant management of public housing projects, a relatively new concept in many parts of the country. Although not a cure-all for these areas which are generally plagued by poverty and crime, tenant management gives residents of public housing the option of improving their own living conditions. Under tenant management, a housing project is operated by corporations established by a resident council which has been approved by a majority of the households. The resident management corporations, under contract with the public housing agency, receive assistance for renovations and are allowed to retain profits received from improved rent collections. Proponents cited reduced maintenance costs, improved services, and safer, more stable communities where such management exists.

Opponents of the amendment stated that it is legislation on an appropriations bill and should be declared nongermane.

H.J. Res. 738: Vote Nos. 301, 303-310, 312-328, 330, 350-354, 356.

RESULT: AMENDMENT NOT GERMANE

YEAS (40)

Democrats (37 or 79%)		Republicans (3 or 6%)
Biden	Kennedy	Cohen
Bingaman	Kerry	Kasten
Bradley	Lautenberg	Specter
Bumpers	Levin	
Burdick	Matsunaga	
Byrd	Melcher	
Cranston	Metzenbaum	
DeConcini	Mitchell	
Dixon	Nunn	
Dodd	Pell	
Eagleton	Proxmire	
Exon	Pryor	
Ford	Riegle	
Glenn	Rockefeller	
Gore	Sarbanes	
Harkin	Sasser	
Hart	Simon	
Inouye	Zorinsky	
Johnston		

NAYS (58)

Democrats (10 or 21%)	Republicans (48 or 94%)	
Baucus	Abdnor	Kassebaum
Bentsen	Andrews	Laxalt
Boren	Armstrong	Lugar
Chiles	Boschwitz	Mathias
Heflin	Broyhill	Mattingly
Hollings	Chafee	McClure
Leahy	Cochran	McConnell
Long	D'Amato	Murkowski
Moynihan	Danforth	Nickles
Stennis	Denton	Packwood
	Dole	Pressler
	Domenici	Quayle
	Durenberger	Roth
	Evans	Rudman
	Gorton	Simpson
	Gramm	Stafford
	Grassley	Stevens
	Hatch	Symms
	Hatfield	Thurmond
	Hawkins	Trible
	Hecht	Wallop
	Heinz	Warner
	Helms	Weicker
	Humphrey	Wilson

NOT VOTING (2)

Democrats (0)	Republicans (2)
	Garn—2
	Goldwater—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—79%
Republicans—94%

Measure of Party Support on Issue as Voted on

For (40)
Democrats—37 or 92.5%
Republicans—3 or 7.5%

Against (58)
Democrats—10 or 17%
Republicans—48 or 83%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 309

99th Congress
2nd Session

October 2, 1986, 11:33 a.m.
Temp. Cong. Rec. p. S-14607

CONTINUING APPROPRIATIONS, 1987

BILL NO.: H.J. Res. 738

AMENDMENT NO.: 3113

SUBJECT: Dole motion to table the Byrd amendment which transfers $200 million from the $300 million economic support fund for Central American democracies and allocates it for aid to the Philippines. (See also Vote Nos. 301 and 328.)

NOTE: Proponents of the amendment stated that the money for the Philippines would not be taken from funds to aid the Contras in Nicaragua. Instead, it would come out of the $300 million in additional economic assistance to Central America which was added by the House to the military construction bill as a "sweetener" to gain votes for the Contra military aid package. The Administration has never requested this additional $300 million, and no one knows how it is to be spent. The amendment would use the funds to make a constructive investment in fostering a new democracy.

Opponents of the amendment stated that the FY 1987 budget contains over $500 million for the Philippines, a substantial increase over the previous year. The amendment is just one more attempt to kill the package of humanitarian and military aid to the "freedom fighters" in Nicaragua. In addition, the amendment makes a reasonable allocation of limited ESF assistance more difficult.

H.J. Res. 738: Vote Nos. 301, 303-310, 312-328, 330, 350-354, 356.

RESULT: MOTION TO TABLE AGREED TO

YEAS (57)

Democrats (11 or 24%)	Republicans (46 or 88%)	
Bentsen	Abdnor	Kassebaum
Boren	Andrews	Kasten
Chiles	Armstrong	Laxalt
DeConcini	Boschwitz	Lugar
Heflin	Broyhill	Mattingly
Hollings	Cochran	McClure
Johnston	Cohen	McConnell
Long	Danforth	Murkowski
Nunn	Denton	Nickles
Stennis	Dole	Packwood
Zorinsky	Domenici	Pressler
	Durenberger	Quayle
	Evans	Roth
	Goldwater	Rudman
	Gorton	Simpson
	Gramm	Stafford
	Grassley	Stevens
	Hatch	Symms
	Hawkins	Thurmond
	Hecht	Trible
	Heinz	Wallop
	Helms	Warner
	Humphrey	Wilson

NAYS (41)

Democrats (35 or 76%)		Republicans (6 or 12%)
Baucus	Kennedy	Chafee
Biden	Kerry	D'Amato
Bingaman	Lautenberg	Hatfield
Bradley	Leahy	Mathias
Bumpers	Matsunaga	Specter
Burdick	Melcher	Weicker
Byrd	Metzenbaum	
Cranston	Mitchell	
Dixon	Moynihan	
Dodd	Pell	
Eagleton	Proxmire	
Exon	Pryor	
Ford	Riegle	
Glenn	Rockefeller	
Gore	Sarbanes	
Harkin	Sasser	
Hart	Simon	
Inouye		

NOT VOTING (2)

Democrats (1)	Republicans (1)
Levin—3	Garn—3

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—76%
Republicans—88%

Measure of Party Support on Issue as Voted on

For (57)
Democrats—11 or 19%
Republicans—46 or 81%

Against (41)
Democrats—35 or 85%
Republicans—6 or 15%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 310

99th Congress
2nd Session

October 2, 1986, 1:18 p.m.
Temp. Cong. Rec. p. S-14617

CONTINUING APPROPRIATIONS, 1987

BILL NO.: H.J. Res. 738

AMENDMENT NO.: 3115

SUBJECT: **Kasten-Inouye motion to table the Bingaman, et al. amendment which deletes the authority to disburse $3.5 billion in undistributed foreign military sales credits without requiring recipient countries to repay principal or interest, if both Appropriations Committees are given 15 days notice.** (Countries which could benefit from this forgiveness provision include: Greece, Turkey, Spain, Thailand, Jordan, South Korea, Pakistan, Portugal, Tunisia, Oman, the Philippines, Indonesia, Morocco, Peru, Malaysia, Botswana, Ecuador, El Salvador, and the Dominican Republic.)

VOTE: Proponents of the amendment contended that the provision granting the authority to disburse undistributed FMS credits without requiring repayment is legislation on appropriations and should be deleted. It would give preferential treatment to one group of debtors over another. They questioned the fairness of forgiving loans to foreign countries but not providing the same relief to the Nation's hard pressed farmers, veterans, or students. If the United States turned this into a welfare program for recipients of U.S. military aid, it would be the American taxpayers who end up carrying the burden. The amendment would delete the provision and retain current law, under which the Federal government would gain a total of $6.9 billion over the next 30 years if the $3.5 billion in undisbursed FMS loans is repaid with interest.

Opponents of the amendment explained that the recipient countries served the interests of the United States by borrowing money to purchase arms to help the U.S. carry out its mission overseas. The national interest would not be served if the amendment is adopted. They emphasized that the provision does not forgive loans that have already been made—only those which are not yet disbursed, so the analogy to U.S. farmers or students is not appropriate. The bill requires the Administration to go through a reprogramming process in order to use this authority, and four congressional committees must approve before a loan is forgiven. It would benefit American taxpayers because it would avoid additional FMS debt which might result in countries defaulting on loans in order to reduce their debt burden. If the provision is deleted from the bill, deeper cuts would have to be made in humanitarian assistance programs which already are being squeezed.

H.J. Res. 738: Vote Nos. 301, 303-310, 312-328, 330, 350-354, 356.

RESULT: MOTION TO TABLE AGREED TO

YEAS (55)

Democrats (8 or 17%)	Republicans (47 or 92%)	
Bradley	Abdnor	Humphrey
Dodd	Andrews	Kassebaum
Hart	Armstrong	Kasten
Inouye	Boschwitz	Laxalt
Kerry	Broyhill	Lugar
Lautenberg	Chafee	Mattingly
Sarbanes	Cochran	McClure
Stennis	Cohen	McConnell
	D'Amato	Murkowski
	Danforth	Pressler
	Denton	Quayle
	Dole	Roth
	Domenici	Rudman
	Durenberger	Simpson
	Evans	Stafford
	Goldwater	Stevens
	Gorton	Symms
	Gramm	Thurmond
	Hatch	Trible
	Hatfield	Wallop
	Hawkins	Warner
	Hecht	Weicker
	Heinz	Wilson
	Helms	

NAYS (43)

Democrats (39 or 83%)		Republicans (4 or 8%)
Baucus	Johnston	Grassley
Bentsen	Kennedy	Nickles
Biden	Leahy	Packwood
Bingaman	Levin	Specter
Boren	Long	
Bumpers	Matsunaga	
Burdick	Melcher	
Byrd	Metzenbaum	
Chiles	Mitchell	
Cranston	Moynihan	
DeConcini	Nunn	
Dixon	Pell	
Eagleton	Proxmire	
Exon	Pryor	
Ford	Riegle	
Glenn	Rockefeller	
Gore	Sasser	
Harkin	Simon	
Heflin	Zorinsky	
Hollings		

NOT VOTING (2)

Democrats (0)	Republicans (2)
	Garn
	Mathias

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—83%
Republicans—92%

Measure of Party Support on Issue as Voted on

For (55)
Democrats—8 or 15%
Republicans—47 or 85%

Against (43)
Democrats—39 or 91%
Republicans—4 or 9%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 316

99th Congress
2nd Session

October 2, 1986, 9:23 p.m.
Temp. Cong. Rec. p. S-14696

CONTINUING RESOLUTION, 1987

BILL NO.: H.J. Res. 738 AMENDMENT NO.: 3127

SUBJECT: **Hatfield question of the germaneness, under Rule XVI, of the Bumpers, et al, amendment which prohibits the use of funds for the Federal Energy Regulatory Commission (FERC) to establish, or permit to take effect, a rate for the transmission of electricity which includes the costs of an abandoned or cancelled generation facility unless such inclusion is permitted by the regulation, policy, or law of the State or local government having jurisdiction over the wholesale purchaser to which the electrical energy is transmitted or sold. The question is: "Is the amendment germane?"**

VOTE: Proponents of the amendment asserted that utilities should not be permitted to charge ratepayers for cancelled or abandoned plants, unless State law allows it. Utilities under FERC's jurisdiction are not required to get State authorization to build a plant; however, FERC grants rate increases to these utilities to recover losses if the plant is abandoned. By following such a policy, FERC has failed in its mission to provide the lowest possible rates. There are now 100 abandoned power plants nationwide. FERC has never disallowed recovery of the cost of a cancelled plant on the basis of imprudence, and a case pending in court would allow utilities to earn a return of as much as 16 percent on cancelled power plants. Utilities have a virtual monopoly, and over the last five years have earned an investment return of almost 23 percent, so it is unnecessary to charge ratepayers for their mismanagement.

Opponents of the amendment claimed that such a restriction is contrary to basic Federal energy policy, which is to ensure the availability of reliable energy sources at low cost. The amendment, they contended, would create shortages, drive up prices, defer new plant construction, and penalize utilities for decisions made up to 12 years ago. In addition, a State would be more likely to resolve environmental problems or energy-related issues with emphasis on its own concerns, which could be harmful to its neighbors. FERC's policy of balancing abandoned plant costs between shareholders and ratepayers has been upheld repeatedly in court. Despite the claim that FERC has never disallowed the recovery of abandoned plant costs, it did so in 1979 when Southern California Edison Company could not show the costs of an abandoned nuclear plant to be prudent. The amendment raises financial impact and Federal policy issues that the Committees of jurisdiction should be permitted to consider before the Senate acts. Furthermore, the issue is now pending before FERC.

H.J. Res. 738: Vote Nos. 301, 303-310, 312-328, 330, 350-354, 356.

RESULT: AMENDMENT NOT GERMANE

YEAS (45)			NAYS (53)			NOT VOTING (2)	
Democrats (40 or 87%)		Republicans (5 or 10%)	Democrats (6 or 13%)	Republicans (47 or 90%)		Democrats (1)	Republicans (1)
Baucus	Inouye	Chafee	Bentsen	Abdnor	Kasten	Bradley—2	Garn—2
Biden	Kennedy	Danforth	Glenn	Andrews	Laxalt		
Bingaman	Kerry	Heinz	Johnston	Armstrong	Lugar		
Boren	Lautenberg	Specter	Long	Boschwitz	Mathias		
Bumpers	Leahy	Trible	Metzenbaum	Broyhill	Mattingly		
Burdick	Levin		Stennis	Cochran	McClure		
Byrd	Matsunaga			Cohen	McConnell		
Chiles	Melcher			D'Amato	Murkowski		
Cranston	Mitchell			Denton	Nickles		
DeConcini	Moynihan			Dole	Packwood		
Dixon	Nunn			Domenici	Pressler		
Dodd	Pell			Durenberger	Quayle		
Eagleton	Proxmire			Evans	Roth		
Exon	Pryor			Goldwater	Rudman		
Ford	Riegle			Gorton	Simpson		
Gore	Rockefeller			Gramm	Stafford		
Harkin	Sarbanes			Grassley	Stevens		
Hart	Sasser			Hatch	Symms		
Heflin	Simon			Hatfield	Thurmond		
Hollings	Zorinsky			Hawkins	Wallop		
				Hecht	Warner		
				Helms	Weicker		
				Humphrey	Wilson		
				Kassebaum			

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—87%
Republicans—90%

Measure of Party Support on Issue as Voted on

For (45)
Democrats—40 or 89%
Republicans—5 or 11%

Against (53)
Democrats—6 or 11%
Republicans—47 or 89%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 317

99th Congress
2nd Session

October 2, 1986, 10:32 p.m.
Temp. Cong. Rec. p. S-14704

CONTINUING APPROPRIATIONS, 1987

BILL NO.: H.J. Res. 738

AMENDMENT NO.: 3132

SUBJECT: Hatfield question of the germaneness, under Rule XVI, of the Leahy, et al, amendment which requires the Department of Defense to base its budgetary requests for major weapons systems on the same inflation forecast (the GNP deflator) used by other Federal agencies; prohibits DOD from using any special inflation multipliers; and requires a section 1407 report to be provided to the Budget and Appropriations Committees, as well as the Armed Services Committee. The question is: "Is the amendment germane?"

NOTE: Proponents of the amendment pointed out that the special multiplier inflation index that DOD used between FY 1982-86 for major weapons systems was grossly inaccurate and caused Congress to appropriate $44 billion more than necessary to provide the authorized level of defense and led to $14 billion in cost overruns. The excess funds were not returned to the Treasury but were plowed back into various defense programs through reprogramming approved by only a handful in Congress. After Congress expressed concerns, DOD switched to the GNP deflator for its FY 1987 requests. This amendment codifies that action and makes sure that only the GNP deflator is used in the future. Expanding access to DOD financial reports and requiring an independent analysis by GAO would help Congress resolve problems involving inflation padding. This would free Congress from DOD claims that it cannot withstand budget cuts by making detailed financial information available earlier in the budget process. It also would show the American people that Congress is doing something about waste in defense spending. The amendment is germane because there is similar language in the House bill, and it would provide the Appropriations Committee with information important to making informed budget decisions.

Opponents of the amendment raised the point of order that the amendment is not germane, under Rule XVI, to the appropriation bill.

H.J. Res. 738: Vote Nos. 301, 303-310, 312-328, 330, 350-354, 356.

RESULT: AMENDMENT NOT GERMANE

YEAS (48)

Democrats (39 or 85%)		Republicans (9 or 17%)
Baucus	Inouye	Abdnor
Bentsen	Kennedy	Andrews
Biden	Kerry	Evans
Bingaman	Lautenberg	Gorton
Boren	Leahy	Grassley
Bradley	Levin	Heinz
Bumpers	Matsunaga	Nickles
Burdick	Melcher	Pressler
Byrd	Metzenbaum	Specter
Chiles	Mitchell	
Cranston	Pell	
DeConcini	Proxmire	
Dixon	Pryor	
Eagleton	Riegle	
Exon	Rockefeller	
Ford	Sarbanes	
Gore	Sasser	
Harkin	Simon	
Hart	Zorinsky	
Hollings		

NAYS (50)

Democrats (7 or 15%)	Republicans (43 or 83%)		
Dodd	Armstrong	Laxalt	
Glenn	Boschwitz	Lugar	
Heflin	Broyhill	Mathias	
Johnston	Chafee	Mattingly	
Long	Cochran	McClure	
Moynihan	Cohen	McConnell	
Nunn	D'Amato	Murkowski	
	Danforth	Packwood	
	Denton	Quayle	
	Dole	Roth	
	Domenici	Rudman	
	Durenberger	Simpson	
	Goldwater	Stafford	
	Gramm	Stevens	
	Hatch	Symms	
	Hatfield	Thurmond	
	Hawkins	Trible	
	Hecht	Wallop	
	Helms	Warner	
	Humphrey	Weicker	
	Kassebaum	Wilson	
	Kasten		

NOT VOTING (2)

Democrats (1)	Republicans (1)
Stennis—2	Garn—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion	Measure of Party Support on Issue as Voted on	
	For (48)	*Against* (50)
Democrats— 85%	Democrats— 39 or 81%	Democrats— 7 or 14%
Republicans— 83%	Republicans— 9 or 19%	Republicans— 43 or 86%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 325

99th Congress
2nd Session

October 3, 1986, 1:37 p.m.
Temp. Cong. Rec. p. S-14876

CONTINUING RESOLUTION, 1987

BILL NO.: H.J. Res. 738

AMENDMENT NO.: 3193

SUBJECT: Hatfield motion to table the Melcher amendment expressing the sense of the Senate that the Secretary of Agriculture should use existing surplus stocks of wheat and corn to make flour and cornmeal for use in feeding the poor and to provide surplus agricultural commodities to aid the Philippines, certain African nations, India, and Bangladesh. (Subsequently, the amendment was modified to reduce the amount of surplus agricultural commodities which would be made available to foreign countries and was agreed to by voice vote.)

NOTE: Proponents of the amendment stated that it would use America's tremendous food surplus to benefit both the U.S. and its allies. The amendment's expansion of existing food donation programs would help stimulate the U.S. agricultural economy and stabilize sliding commodity prices, while also serving foreign policy interests abroad. It is "immoral" and self-defeating to pay millions of dollars to store huge surpluses of commodities while people are going hungry in the U.S. and around the world. The proposal would save the Federal government between $40 and $200 million in storage costs alone. Recipient foreign countries would be required to pay all transportation and processing fees, thereby protecting the U.S. from paying any costs related to delivery of the donated commodities. The amendment also would prevent the displacement of commercial U.S. commodity sales by prohibiting donations unless the recipient government agrees to purchase that particular commodity in an amount equal to their commercial consumption during the previous year.
No opposing statements were offered.

H.J. Res. 738: Vote Nos. 301, 303-310, 312-328, 330, 350-354, 356.

RESULT: MOTION TO TABLE FAILED

YEAS (46)

Democrats (2 or 4%)	Republicans (44 or 86%)	
Long	Armstrong	Kassebaum
Stennis	Boschwitz	Laxalt
	Broyhill	Lugar
	Chafee	Mattingly
	Cochran	McClure
	Cohen	McConnell
	D'Amato	Murkowski
	Denton	Packwood
	Domenici	Quayle
	Durenberger	Roth
	Evans	Rudman
	Goldwater	Simpson
	Gorton	Specter
	Gramm	Stafford
	Grassley	Stevens
	Hatch	Symms
	Hatfield	Thurmond
	Hawkins	Trible
	Hecht	Wallop
	Heinz	Warner
	Helms	Weicker
	Humphrey	Wilson

NAYS (52)

Democrats (45 or 96%)		Republicans (7 or 14%)
Baucus	Inouye	Abdnor
Bentsen	Johnston	Andrews
Biden	Kennedy	Danforth
Bingaman	Kerry	Dole
Boren	Lautenberg	Kasten
Bradley	Leahy	Nickles
Bumpers	Levin	Pressler
Burdick	Matsunaga	
Byrd	Melcher	
Chiles	Metzenbaum	
Cranston	Mitchell	
DeConcini	Moynihan	
Dixon	Nunn	
Dodd	Pell	
Eagleton	Proxmire	
Exon	Pryor	
Ford	Riegle	
Glenn	Rockefeller	
Gore	Sarbanes	
Harkin	Sasser	
Hart	Simon	
Heflin	Zorinsky	
Hollings		

NOT VOTING (2)

Democrats (0)	Republicans (2)
	Garn—2
	Mathias—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—96%
Republicans—86%

Measure of Party Support on Issue as Voted on

For (46)
Democrats—2 or 4%
Republicans—44 or 96%

Against (52)
Democrats—45 or 87%
Republicans—7 or 13%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 349

October 16, 1986, 2:25 p.m.
Temp. Cong. Rec. p. S-16623

99th Congress
2nd Session

CONTRAS—SUPPORT BY U.S. MILITARY

BILL NO.: S.J. Res. 429

SUBJECT: Passage (rejected) of the joint resolution which requires the President to submit a report to Congress, by February 1, 1987, containing a full and complete accounting of all contacts, including advice, logistical support, and other assistance that may have been provided by U.S. government personnel to Eugene Hasenfus, Max Gomez, William J. Cooper, Wallace B. Sawyer, Jr., Corporate Air Services, Southern Air Transport, and any other private American citizen providing assistance to the Nicaraguan Democratic Resistance (Contras), except for assistance authorized under section 105 of Public Law 99-169 (the FY 1986 Intelligence Authorization Act) and humanitarian assistance to the Contras authorized by Public Law 99-88.

NOTE: On October 5, 1986, a C-123 cargo plane loaded with weapons for the Contras and flown by three Americans and an unidentified passenger, was downed over Nicaragua. The Sandinista government has alleged that U.S. government personnel provided advice and support for private American citizens involved in these flights; an allegation which, if true, would violate Section 105 of Public Law 99-169, which specifically bars the U.S. government from spending money or using government personnel to provide military support, except for intelligence sharing, to the Contras.

S.J. Res. 429: Vote No. 349.

RESULT: JOINT RESOLUTION DEFEATED

YEAS (47)

Democrats (46 or 87%)		Republicans (7 or 14%)
Baucus	Kennedy	Grassley
Biden	Kerry	Hatfield
Bingaman	Lautenberg	Heinz
Boren	Leahy	Kasten
Bradley	Levin	Packwood
Bumpers	Matsunaga	Specter
Burdick	Melcher	Weicker
Byrd	Metzenbaum	
Chiles	Mitchell	
Cranston	Moynihan	
DeConcini	Nunn	
Dodd	Pell	
Eagleton	Proxmire	
Exon	Pryor	
Ford	Riegle	
Gore	Rockefeller	
Harkin	Sarbanes	
Hart	Sasser	
Inouye	Simon	
Johnston	Stennis	

NAYS (50)

Democrats (6 or 13%)	Republicans (44 or 86%)	
Bentsen	Abdnor	Helms
Dixon	Andrews	Humphrey
Heflin	Armstrong	Kassebaum
Hollings	Boschwitz	Lugar
Long	Broyhill	Mathias
Zorinsky	Chafee	Mattingly
	Cochran	McClure
	Cohen	McConnell
	D'Amato	Murkowski
	Danforth	Nickles
	Denton	Pressler
	Dole	Quayle
	Domenici	Roth
	Durenberger	Rudman
	Evans	Simpson
	Garn	Stafford
	Goldwater	Stevens
	Gorton	Thurmond
	Gramm	Trible
	Hatch	Wallop
	Hawkins	Warner
	Hecht	Wilson

NOT VOTING (3)

Democrats (1)	Republicans (2)
Glenn—2	Laxalt—2
	Symms—AN

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—87%
Republicans—86%

Measure of Party Support on Issue as Voted on

For (47)
Democrats—40 or 85%
Republicans—7 or 15%

Against (50)
Democrats—6 or 12%
Republicans—44 or 88%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 352

99th Congress
2nd Session

October 17, 1986, 1:01 a.m.
Session of October 16, 1986
Temp. Cong. Rec. p. S-16704

CONTINUING RESOLUTION, 1987

BILL NO.: H.J. Res. 738 AMENDMENT NO.: 3479

SUBJECT: Hatfield motion to table the Metzenbaum-Bumpers perfecting amendment (to the Abdnor amendment—Vote No. 354) which reforms the Racketeer Influenced and Corrupt Organizations (RICO) statute by eliminating treble damages in most cases except where the plaintiff is a governmental entity or in certain consumer causes of action; tightening the definition of "pattern of illicit activity;" and imposing a three-year statute of limitations.

VOTE: Proponents of the amendment noted that it is identical to provisions passed overwhelmingly by the House. While the original statute was enacted to fight organized crime, it has been used to attack legitimate business practices. In fact, the American business community is being harassed by RICO lawsuits resulting in a virtual explosion of litigation. The original statute contained very broad language as to what constitutes a civil RICO violation; and there are no guidelines for confining private civil suits to cases involving "organized crime." This amendment provides a fair compromise by refocusing civil RICO on Congress' original intent—suits against parties engaged in a widescale pattern of fraudulent or other criminal activity. At the same time, claimants would retain all of the other statutory and common law remedies for various forms of alleged misconduct. Although this may be an inappropriate vehicle for this important bill, the need for legislation overrides that objection, especially since this compromise has House acceptance and will become law if adopted now by the Senate.

Opponents of the amendment claimed that this legislation does not achieve the degree of reform needed to curb RICO abuse or put an end to the availability of civil RICO for a broad range of actions not related to criminal racketeering. Moreover, it does not allow municipalities (like New York City) to bring civil RICO actions without specific authorization by State statute. It federalizes broad areas of State common law and statutory causes of action and gives special RICO protection to securities-related businesses. In addition, it is opposed by the Justice Department. Some parts of the amendment have not been considered by the Judiciary Committee. A number of other bills regarding RICO reform were introduced in the 99th Congress which deserve more consideration before action is taken on this amendment.

H.J. Res. 738: Vote Nos. 301, 303-310, 312-328, 330, 350-354, 356.

RESULT: MOTION TO TABLE AGREED TO

YEAS (47)

Democrats (6 or 14%)	Republicans (41 or 87%)	
Dodd	Armstrong	Lugar
Exon	Boschwitz	Mathias
Heflin	Chafee	Mattingly
Hollings	Cochran	McClure
Stennis	Cohen	McConnell
Zorinsky	D'Amato	Murkowski
	Danforth	Nickles
	Denton	Pressler
	Dole	Quayle
	Domenici	Roth
	Evans	Rudman
	Goldwater	Simpson
	Gramm	Stafford
	Grassley	Stevens
	Hatfield	Thurmond
	Hawkins	Trible
	Hecht	Wallop
	Helms	Warner
	Humphrey	Weicker
	Kassebaum	Wilson
	Kasten	

NAYS (44)

Democrat (38 or 86%)		Republicans (6 or 13%)
Baucus	Johnston	Abdnor
Bentsen	Kennedy	Andrews
Biden	Kerry	Durenberger
Bingaman	Lautenberg	Gorton
Boren	Levin	Hatch
Bradley	Long	Specter
Bumpers	Matsunaga	
Burdick	Melcher	
Byrd	Metzenbaum	
Chiles	Mitchell	
DeConcini	Moynihan	
Dixon	Nunn	
Eagleton	Proxmire	
Ford	Pryor	
Glenn	Riegle	
Gore	Rockefeller	
Harkin	Sarbanes	
Hart	Sasser	
Inouye	Simon	

NOT VOTING (9)

Democrats (3)	Republicans (6)
Cranston—2	Broyhill—2
Leahy—2AN	Garn—2
Pell—2	Heinz—2
	Laxalt—2
	Packwood—2
	Symms—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—86%
Republicans—87%

Measure of Party Support on Issue as Voted on

For (47)
Democrats—6 or 13%
Republicans—41 or 87%

Against (44)
Democrats—38 or 86%
Republicans—6 or 14%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

SENATE VOTING RECORD

NO. 353

99th Congress
2nd Session

October 17, 1986, 1:30 a.m.
Session of October 16, 1986
Temp. Cong. Rec. p. S-16705

CONTINUING APPROPRIATIONS, 1987

BILL NO.: H.J. Res. 738

AMENDMENT NO.: 3480

SUBJECT: **Hatfield motion to table the Melcher perfecting amendment (to the Abdnor amendment—Vote No. 354) which requires the Secretary of Agriculture to sell notes and other obligations held by that Department in order to raise $50 million for the Temporary Emergency Food Assistance Program, which makes surplus food products available to needy families.**

NOTE: Proponents of the amendment noted that in FY 1986 the Temporary Emergency Food program did not have sufficient money to process and transport commodities to the poor. The Community Action Program, which distributes the surplus goods, complained about the lack of flour, while at the same time tons of wheat were sitting in fields rotting. The situation will improve as a result of the Farm Act, which requires States to pay one-half of the cost of transporting the goods beginning January 1. However, additional funds are still needed to process the food. The amendment is a modest step toward a worthy goal—the elimination of hunger right here in the U.S.

Opponents of the amendment pointed out that it violates the Budget Act by exceeding the amount authorized for the program.

H.J. Res. 738: Vote Nos. 301, 303-310, 312-328, 330, 350-354, 356.

RESULT: MOTION TO TABLE AGREED TO

YEAS (47)

Democrats (5 or 11%)	Republicans (42 or 88%)	
Chiles	Armstrong	Humphrey
Glenn	Boschwitz	Kassebaum
Proxmire	Chafee	Kasten
Stennis	Cochran	Lugar
Zorinsky	Cohen	Mathias
	D'Amato	Mattingly
	Danforth	McClure
	Denton	McConnell
	Dole	Murkowski
	Domenici	Quayle
	Durenberger	Roth
	Evans	Rudman
	Goldwater	Simpson
	Gorton	Stafford
	Gramm	Stevens
	Grassley	Thurmond
	Hatch	Trible
	Hatfield	Wallop
	Hawkins	Warner
	Hecht	Weicker
	Helms	Wilson

NAYS (45)

Democrats (39 or 89%)		Republicans (6 or 13%)
Baucus	Inouye	Abdnor
Bentsen	Johnston	Andrews
Biden	Kennedy	Heinz
Bingaman	Kerry	Nickles
Boren	Lautenberg	Pressler
Bradley	Levin	Specter
Bumpers	Long	
Burdick	Matsunaga	
Byrd	Melcher	
DeConcini	Metzenbaum	
Dixon	Mitchell	
Dodd	Moynihan	
Eagleton	Nunn	
Exon	Pryor	
Ford	Riegle	
Gore	Rockefeller	
Harkin	Sarbanes	
Hart	Sasser	
Heflin	Simon	
Hollings		

NOT VOTING (8)

Democrats (3)	Republicans (5)
Cranston—2	Broyhill—2
Leahy—2	Garn—2
Pell—2	Laxalt—2
	Packwood—2
	Symms—2

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

ANALYSIS OF ISSUE VOTED ON:

Party Cohesion

Democrats—89%
Republicans—88%

Measure of Party Support on Issue as Voted on

For (47)
Democrats—5 or 11%
Republicans—42 or 89%

Against (45)
Democrats—39 or 87%
Republicans—6 or 13%

Prepared and Compiled by Senate Democratic Policy Committee
Robert C. Byrd, Chairman

○